United Nations E/CN.15/2014/16

Economic and Social Council

Distr.: General
5 March 2014

Original: English

Commission on Crime Prevention and Criminal Justice
Twenty-third session
Vienna, 12-16 May 2014
Item 7 of the provisional agenda*
World crime trends and emerging issues and responses in the field of crime prevention and criminal justice

Guidelines for crime prevention and criminal justice responses with respect to trafficking in cultural property and other related offences

Note by the Secretariat

In its resolution 68/186, the General Assembly requested the United Nations Office on Drugs and Crime to reconvene the expert group on protection against trafficking in cultural property for Member States to review and revise the draft guidelines on crime prevention and criminal justice responses with respect to trafficking in cultural property, taking into account an updated compendium from the Secretariat of comments made by Member States on the draft guidelines, with a view to finalizing and submitting the draft guidelines to the Commission on Crime Prevention and Criminal Justice at its twenty-third session. The expert group met from 15 to 17 January 2014, and the guidelines for crime prevention and criminal justice responses with respect to trafficking in cultural property and other related offences, as finalized by the expert group, are contained in annex I to the report on that meeting (UNODC/CCPCJ/EG.1/2014/3). The expert group recommended that the reviewed and revised guidelines should be adopted by the Commission at its twenty-third session. The guidelines will be made available to the Commission at that session.

* E/CN.15/2014/1.

V.14-01465 (E) 130314 140314

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United Nations E/CN.15/2014/17

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3 March 2014

Original: English

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World crime trends and emerging issues and responses in the field of crime prevention and criminal justice

International cooperation in the prevention, investigation, prosecution and punishment of economic fraud and identity-related crime

Report of the Secretary-General

Summary

The present report provides information on the efforts of Member States to implement Economic and Social Council resolution 2013/39 and domestic policies and measures in the areas of prevention, investigation, prosecution and punishment of economic fraud and identity-related crime. It also provides information on the work of the United Nations Office on Drugs and Crime to raise awareness about identity-related crime and the appropriate responses to it. The report further contains information on planned activities of the Secretariat geared towards enhancing the capacity of Member States to prevent and combat identity-related crime.

* E/CN.15/2014/1.

V.14-01364 (E) 250314 260314

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I. Introduction

1. In its resolution 2013/39, entitled "International cooperation in the prevention, investigation, prosecution and punishment of economic fraud and identity-related crime", the Economic and Social Council took note of the report of the sixth meeting of the core group of experts on identity-related crime.[1] The Council also took note of the outline for model legislation on identity-related crime, as well as the checklist of strategic elements in developing national strategies for the prevention, investigation, prosecution and punishment of identity-related crime, both of which are contained as appendices in the above-mentioned report. The Council further took note of the document on the development of a framework containing the basic components of a national strategy on the prevention, investigation, prosecution and punishment of identity-related crime, as well as the document on successful cases of public-private partnerships to address identity-related crime.

2. In the same resolution, the Council encouraged Member States to consider the adoption and implementation of national strategies on the prevention, investigation, prosecution and punishment of identity-related crime, including the use of public-private partnerships to address identity-related crime. The Council also invited Member States to provide information to the United Nations Office on Drugs and Crime (UNODC) on national efforts, if any, to develop strategies for the prevention, investigation, prosecution and punishment of identity-related crime.

3. Also in its resolution 2013/39, the Council requested UNODC to continue its efforts, in consultation with the United Nations Commission on International Trade Law, to promote mutual understanding and the exchange of views and expertise between various stakeholders, in particular between public and private sector entities, on issues pertaining to identity-related crime through the future work of the core group of experts on identity-related crime, including draft model legislation on identity-related crime. The Council also invited UNODC to continue to cooperate with other international and intergovernmental organizations and academic institutions active in this field by enabling their participation and active involvement in the future work of the core group of experts on identity-related crime.

4. In the same resolution, the Council invited Member States and other donors to provide extrabudgetary resources for the purposes indicated in the resolution, in accordance with the rules and procedures of the United Nations, and requested the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice at its twenty-third session on the implementation of resolution 2013/39.

5. The present report provides information on the efforts of Member States to implement Economic and Social Council resolution 2013/39 and domestic policies and measures in the areas of prevention, investigation, prosecution and punishment of economic fraud and identity-related crime. It also provides information on the work of UNODC to raise awareness about identity-related crime and the need for appropriate responses to it. The present report further contains information on

[1] E/CN.15/2013/25, annex.

planned activities of the Secretariat geared towards enhancing the capacity of Member States to prevent and combat identity-related crime.

II. Overview and analysis of information provided by Governments

6. At the time of submission of the present report, the following Member States had provided information and relevant material on the implementation of Economic and Social Council resolution 2013/39: Algeria, Armenia, Australia, Bosnia and Herzegovina, Chile, China, Dominican Republic, El Salvador, Germany, Guatemala, Iceland, Latvia, Mexico, Poland, Qatar, Russian Federation, Spain and Turkmenistan.

Algeria

7. Algeria reported that it did not have a definition of the concept of identity. However, the ratification of the United Nations Convention against Transnational Organized Crime and its three protocols, as well as the United Nations Convention against Corruption, had an impact on existing domestic legislation. The Criminal Code had been modified to take into account offences related to new information technologies, the use of false identification and false certification and unlawful trading in influence. The Act against money-laundering and financing of terrorism introduced the verification of the identity of natural and legal persons by banks at the time of opening of an account.

8. Moreover, the Criminal Procedure Code had been amended to include new investigation techniques. A 2009 law on data retention obliged service providers to retain the data of their customers, thus allowing the identification of service users. Earlier, in 2004, the Criminal Procedure Code had established special pools of magistrates with ad hoc responsibilities regarding drug trafficking, transnational organized crime, offences involving the automatic processing of data, money-laundering and terrorism. Algeria also reported that the statute of limitations for crimes related to transnational organized crime had been abolished. A bill was being drafted to introduce a protection regime for personal data and the rules for the protection of rights and freedoms, particularly the right to privacy.

Armenia

9. Armenia listed provisions of the national Criminal Code establishing identity-related crimes fraud and offences involving the use of computer technology. Armenia further referred to its legislation against money-laundering and the financing of terrorism. Currently, a package of 15 draft laws was being discussed by the National Assembly in order to improve the existing legislation in that field.

10. In 2010, the first National Strategy for Combating Money-Laundering and Terrorism Financing had been adopted, followed by the second one in 2012. The National Strategy was aimed at putting in place the legislative and institutional

framework and developing the capacities of stakeholders in the fight against money-laundering and the financing of terrorism.

Australia

11. Australia reported that it had a robust legal framework to combat economic fraud and identity-related crime, which included specific identity-crime offences, as well as privacy legislation that placed safeguards on the use of personal information. Australia's legislative framework was supported by national policies for preventing and addressing identity-related crime. The National Identity Security Strategy outlined how all state governments responded to current and emerging identity security challenges and opportunities. The Strategy had been revised in 2012 to ensure that Australia's approach was appropriate for responding to the rapidly evolving nature of identity-related crime. The Strategy included the establishment of the Document Verification Service and the development of several national standards related to identity management. Australia explained that the Document Verification Service was an online system that allowed agencies to verify in real time the information on key identity documents (e.g. passports and driving licences). Australia stated that its Government was currently working to expand access to the Document Verification Service to certain private sector organizations.

12. Australia reported on other work currently under way to achieve the objectives of the Strategy, including the enhancement of identity proofing by government agencies, the development of measurement indicators to improve the monitoring of identity-related crime, the enhancement of the interoperability of biometric systems and the improvement of support for victims of identity crime.

13. With regard to domestic legislation, Australia reported that it had comprehensive offences to address economic fraud and identity-related crime. The national Criminal Code contained provisions criminalizing, if committed with a certain intention, the acts of dealing in identification information, possessing identification information and possessing equipment to create identification documentation. Australia's privacy legislation ensured that appropriate protections were afforded to identification information and regulated the ways in which such information could be used. Recent changes to the legislation ensured greater consistency by applying the same privacy principles to the public and private sectors. Victims of identity crime could apply for a certificate to assist them in resolving problems caused by identity-related crime.

Bosnia and Herzegovina

14. Bosnia and Herzegovina noted that it had recognized economic crime as a part of organized crime. Currently, the adoption of a national strategy on combating organized crime was pending. That strategy would define the goals, roles and responsibilities of all stakeholders.

15. Bosnia and Herzegovina reported that its State Investigation and Protection Agency carried out prevention activities and investigated economic crime. That Agency would welcome training on the content of Economic and Social Council resolution 2013/39 and the obligations under it. The Agency did not possess any

data on identity-related crime, since such offences related to the competences of the entities of the State. Likewise, the Federal Police Administration did not have information on criminal offences in the field of identity-related crime. However, the Border Police investigated cases of falsified documentation. The national Indirect Taxation Authority and other taxation authorities investigated cases relating to economic fraud, including identity-related offences.

Chile

16. Chile reported that the Public Prosecution Service had, in general, a constitutional mandate to investigate deeds that might constitute crimes and to protect victims and witnesses. There were general criteria with regard to the criminal prosecution and investigation of identity-related crimes.

17. In the field of training, the Money-Laundering and Economic, Environmental and Organized Crime Unit of the National Prosecuting Authority was responsible, within its areas of competence, for the design and implementation of national plans aimed at internal training. Since 2009, issues pertaining to identity-related crime had been included in the training courses. In addition, professionals and Money-Laundering and Economic, Environmental and Organized Crime Unit prosecutors had participated in various training courses organized by international bodies. Furthermore, that Unit had organized jointly with universities academic activities to raise awareness about weaknesses and strengths of the national legal system with regard to related issues. As a result of those actions, the ability to develop effective research had been steadily increasing, while good practices and successes at both the national and international levels had been disseminated to prosecutors and other competent officers.

18. Reference was made to two practical manuals on computer crime and computer fraud. Those manuals presented the most important elements and patterns of computer crime and computer fraud, as well as the most effective measures to investigate and adjudicate relevant cases in court. Both manuals were developed by professionals from the Money-Laundering and Economic, Environmental and Organized Crime Unit and were available to all members of the prosecution.

19. Chile further reported that the Public Prosecution Service participated actively in inter-agency coordination with public sector agencies that had jurisdiction over related issues. For example, the Public Prosecution Service was part of an advisory board that evaluated the state of national legislation and its compliance with international standards, such as those enshrined in the Council of Europe Convention on Cybercrime. Moreover, channels of communication between prosecutors and private sector entities, such as financial institutions and Internet service providers, had been established in the context of specific investigations.

20. The Public Prosecution Service, with the collaboration of specialized police on certain identity-related crimes committed through technological means, had successfully led prosecutions directed against criminal organizations at both the national and international levels. International cooperation could be pursued using the Council of Europe Convention on Cybercrime as a legal basis.

21. In separate information provided by the Ministry of Interior and Public Security, Chile reported on national strategies for the prevention, investigation, prosecution and sanctioning of identity crimes. On 4 August 2010, the Government had launched a plan for public safety, entitled "Safe Chile 2010-2014", designed by the Ministry of Interior and Public Security, which included a series of actions to combat crime in the areas of prevention, protection, punishment, victim support and rehabilitation of offenders. Part of the plan focused on developing initiatives to reduce the vulnerability of potential victims through personal prevention measures.

22. Chile also referred to a number of guides and manuals on crime prevention, including a guide entitled "Prevention of trade crimes: a collection of international experiences", which had been published in 2011 and reissued in October 2012. That guide had a chapter on economic crime, cybercrime and manipulation of information, in which the offences were described and relevant recommendations were made.

23. Further reference was made to the development of a programme called "Barrio en paz comercial", which involved commercial entities affected by high levels of crime. The aforementioned guide on the prevention of trade crimes was distributed to provincial authorities, chambers of commerce and business entities.

24. Chile also reported on a campaign entitled "Secure card". The campaign had been launched jointly by the National Consumer Service (SERNAC) and the Chilean Investigative Police in June 2013 to provide advice to consumers on how to avoid becoming victims of scams or cloning, especially involving the use of credit cards. The campaign was hosted on the website of SERNAC and contained a number of safety tips and other information. Another campaign, called "Digital consumer: it is good to be informed", was a joint initiative of the Modernization and Digital Government Unit of the secretariat of the presidency and SERNAC. Its objective was to inform citizens about their rights when shopping or conducting transactions over the Internet so that they could protect themselves from scams and unfair practices involving the use of their personal data. A third campaign, called "Trade prevention and protection", was run by the National Chamber of Commerce and Tourism Service of Chile. It was reported that the Chamber of Commerce was developing a plan aimed at producing a series of national seminars on the topic "Prevention and protection: keys to trade", with the collaboration of law enforcement agencies and private companies. The objective of the seminars was to provide traders with tools and knowledge to prevent crime and strengthen the protection of their business.

25. In addition to its investigative duties in the field of identity-related crime, the Chilean Investigative Police offered lectures to students and teachers in primary and secondary education centres about the prevention of cybercrime, including crimes involving identity theft. On 6 May 2013, the Investigative Police had signed an agreement with the National Service for the Elderly to make joint efforts to contribute to the prevention of economic crime committed against the elderly. Through the National Office of Public Affairs of the Investigative Police, efforts were being made to raise awareness through the media about new criminal patterns and modi operandi of fraud. The police had special officers for the investigation of economic crime and cybercrime.

26. Reference was also made to the Carabineros, a police institution with a special unit responsible for the investigation of economic crime and cybercrime. The Office of Financial Research and Money-Laundering also undertook investigative and preventive actions against economic fraud and identity crimes. Furthermore, the Carabineros were involved in preventive activities with other institutions such as the Public Ministry, the customs service and banks.

China

27. China reported on provisions of its domestic legislation that were applicable in cases of identity abuse. The Chinese Criminal Code established a number of offences relevant to identity data, e.g., Impairment of Credit Card Usage (art. 177), Bill (Banknote) Fraud (art. 194), Letter of Credit Fraud (art. 195), Credit Card Fraud (art. 196), Contract Fraud (art. 224) and Forgery and Alteration of Resident Identity Cards (art. 280, para. 3). The rationale behind those provisions was that the above-mentioned offences infringed citizens' identity data and right of privacy, destroyed the normal functioning of the market and seriously harmed society.

28. In recent years, certain legislative measures had been undertaken to counter the increase in crimes related to citizens' identity data. In February 2005, the Standing Committee of the National People's Congress had adopted the Fifth Amendment to the Criminal Code and by article 1 of the Amendment had added to article 177 of the Criminal Code the offences of Impairment of Credit Card Use and Theft, Purchase and Illegal Supply of Credit Card Data, thereby establishing the collection of financial information and the falsification (forging) of personal data, as well as credit card fraud and committing other offences by using credit cards, as distinct criminal offences in order to counter those complicated modern economic crimes.

29. In 2009, the Supreme People's Court and Supreme People's Procuratorate Clarifications on Certain Questions of Detailed Application of Law in Cases of Impairment of Credit Card Use had been published, wherein detailed rules had been established with regard to the offences of Impairment of Credit Card Use and Theft, Purchase and Illegal Supply of Credit Card Data. Based on law and judicial clarifications, the competent units of procuratorate bodies had continued to strengthen their efforts in fighting relevant offences.

30. In February 2009, the National People's Congress had adopted the Seventh Amendment to the Criminal Code. In article 7 of the Amendment, the offences of illegal supply of citizens' personal information and illegal obtainment of citizens' personal information had been added to article 253 of the Criminal Code. Those provisions had incorporated the legal framework of protection of citizens' personal data and criminalized the illicit conduct of committing fraud by using stolen identities.

31. In order to more efficiently counter and punish criminal offences infringing citizens' personal information and to fully guarantee the safety and legality of the individual private data of citizens, the Supreme People's Court, the Supreme People's Procuratorate and the Ministry of Public Security had jointly issued on 23 March 2013 the Notification on Punishment of Illicit Conduct Infringing Personal Information of Citizens. At the same time, they had required security

bodies at every level, procuratorate bodies and People's Courts to increase their knowledge, apply laws justly, strengthen coordination, decisively fight illicit conduct infringing people's personal information and set up long-term mechanisms for protecting against and fighting crime.

32. Attention was also being devoted to elements of economic fraud crime. China was actively promoting the build-up of a credit network and constructing a mechanism for countering the criminal environment associated with offences relevant to personal information through, for example, the establishment of databases of filed and investigated cases of bribery and the provision of information to the public on relevant inquiries.

33. From January 2010 until December 2012, the People's Courts had adjudicated 192 cases of selling, illegally providing and illegally obtaining personal information of citizens. Convictions were issued in 276 cases.

34. In the field of international cooperation, China had been actively conducting exchanges of information to combat transnational crimes involving bank cards with Canada, Denmark, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Plans for broadening law enforcement cooperation with more countries and regions in certain areas included the following:

(a) Strengthening intelligence exchange, especially by strengthening cooperation in the investigation of transnational crimes involving bank cards; informing foreign counterparts in timely fashion of the mutually relevant transnational bank cases and relevant investigation details; and annual reporting on the general national aspects of transnational bank cases;

(b) Establishing a system of mutually exchangeable blacklists of suspects in crimes involving bank cards. The investigation bureaus of the Ministry of Security had already created the blacklist of suspects in banking fraud crimes. It was suggested that each year mutually relevant blacklists of suspects in financial crimes would be exchanged with foreign police forces in order to facilitate the provision of information to law enforcement authorities;

(c) Strengthening mutual visits and exchanges and actively promoting multifaceted training activities. Such training activities could include the exchange of information on legal systems, recent methods of committing banking card crimes and exchanges of experience in fighting identity-related crime.

35. China stressed that the Government attached great importance to the prevention of and fight against identity crimes and that the judicial and law enforcement authorities undertook considerable efforts in that area. Currently, China viewed the following areas of the prevention of and fight against identity crimes as priority issues:

(a) Addressing the falsification (forgery) of identity with a focus on the element of defrauding the victim;

(b) Responding to the crime of using media to falsify (forge) personal identity;

(c) Combating the crime of transmitting falsified (forged) identity and other data via radio and television;

(d) Addressing the crime of committing fraud by disseminating multiple text (SMS) messages involving falsified (forged) identities via mobile phones;

(e) Preventing and combating Internet fraud committed by using forged identity.

Dominican Republic

36. The Dominican Republic reported on its national strategy against identity fraud (2012-2013), aimed at ensuring the issuance and renewal of passports according to international standards of quality and safety. The national strategy was intended to enhance security controls and raise the technological level of security standards for passports, including through preventive and reactive security measures, in accordance with Law No. 208-71; the modernization of technological platforms and communications; the enhancement of security measures in the administration of passports (transport, design, production and storage); the enhancement of inter-agency collaboration and exchange of information; collaboration with the General Directorate of Migration; institutional collaboration with the Office of the Attorney General; strategic partnership with the Central Electoral Board; institutional collaboration with the National Investigations Department, the National Police and International Criminal Police Organization (INTERPOL); and training, workshops, presentations and courses.

37. The national strategy also included policies and measures for strengthening the investigation, prosecution and punishment of identity crime. Such policies were implemented by the Fraud Department, which collaborated with the Central Electoral Board, the General Directorate of Migration, the National Police, the Central Directorate of Criminal Investigation, the Public Prosecutor and INTERPOL. Resolution No. 3/2013 established penalties for stealing passports, the gravity of which was subject to the number of passports stolen. Resolution No. 6/2010 established the investigative procedure to be followed by the Fraud Department in cases of suspected fraud and detection of false documents. Those resolutions facilitated the investigation and prosecution of a significant number of offenders, who were sentenced to terms of imprisonment ranging from six months to one year, plus a fine.

38. The Dominican Republic also referred to a project to amend the aforementioned Law No. 208-71. The most important amendments included more streamlined regulations on the establishment of the legal personality of entities, which would allow the General Directorate of Passports of the Ministry of External Relations to initiate legal proceedings; the adoption of protocols of action and cooperation for the pursuit of identity-crime offenders; the application of special sanctions in case of unusual recurrence of losses; and the centralization of the passport system.

El Salvador

39. El Salvador provided information on national initiatives focusing on the prevention, investigation and punishment of identity-related crime. A group of prosecutors had been established to investigate relevant cases. There was an

anti-organized crime unit and an anti-financial crime unit within the General Prosecution, entrusted with the investigation of such cases. There were also teams within the national Civil Police that acted jointly with prosecutors in investigations.

40. With a view to enhancing the effectiveness of investigations, there was constant communication and coordination with banks and financial institutions, which reported the detection of fraudulent economic activities or any kind of identity fraud. Moreover, there was an agreement on cooperation between the National Registry of Persons and the General Prosecution for the exchange of information to facilitate investigative action. That enabled the prompt determination as to whether information about the identity of persons had been fraudulently used. When repetitive patterns of fraud were detected in a certain group of people, the information was disseminated through the media to alert the citizens and prevent them from becoming victims.

Germany

41. Germany stated that existing criminal provisions were used to deal with identity-related crime. Such offences included acts of data espionage, "phishing", theft, fraud, computer fraud, forgery, tampering with official identity documents, acquisition of false official identity documents and misuse of identity documents.

42. Germany reported that the Federal Criminal Police Office was dealing with identity crime cases. To the extent possible and necessary, it also exchanged information with non-governmental organizations. In particular, the national Information and Communications Technology Strategy, which was developed on the basis of the Council of Europe Convention on Cybercrime, provided for close cooperation with industry associations and security authorities.

43. Germany highlighted that its Police Crime Prevention Programme addressed identity fraud and identity theft. A so-called security compass, which was introduced by the Federal Office for Information Security, provided the public with simple rules on how to use the Internet safely, thus providing effective protection from identity-related dangers posed by the Internet. A collection of leaflets informed users about the risks of using computers, smartphones and similar devices, and social networks.

Guatemala

44. Guatemala reported the lack of specific guidelines on identity-related crime despite the existence of statistical data reflecting the occurrence of such crimes. For the period from 2005 to 2013, the following categories of identity crime had been reported: negligent and intentional fraud, use of forged documents, illegitimate use of identification, misuse of uniform and insignia, public use of a false name, usurpation of position and usurpation of functions.

45. The largest number of complaints about identity crime had been reported in 2012 (9,383 cases, almost the same number as in 2007). In 2013, only 6,712 cases had been reported. Every year, the most documented type of identity crime was intentional fraud: from 2005 to 2013 there were 26,890 cases of intentional fraud.

Iceland

46. Iceland reported that it did not have a national strategy for the prevention, investigation, prosecution and punishment of identity-related crime. Furthermore, no national efforts were ongoing to develop such strategies. However, it was underlined that the national authorities were currently preparing a national cybersecurity strategy that would take into consideration measures against cybercrime, possibly including online identity-related crimes.

Latvia

47. Latvia provided information on the policy documents, legal acts and reporting mechanisms established to fight identity-related crimes. Reference was made to the National Security Concept of 2011, the development of a passport system and a unified migration information system, the National Strategy for the Prevention of Child Criminality and Protection of Children from Criminal Offences of 2013 and the Action Plan on Preventing and Combating Organized Crime for the period 2014-2016. Latvia also highlighted its existing mechanisms (hotlines, websites of the police and the Safer Internet Centre) for reporting economic fraud and identity-related crime.

48. The Safer Internet Centre had the task of informing and educating children, teachers and parents about potential threats on the Internet, including identity theft and misuse of personal data. In addition, the Information Technology Security Incident Response Institution had been established in 2006 to provide support, inter alia, to State institutions in safeguarding national information technology security. The Latvian law enforcement authorities had submitted a project application to the European Commission regarding the development of uniform standards for identity documents in the European Union.

49. Latvian criminal law provided for liability for economic crimes, including fraud and fraud in automated data-processing systems, acquisition of personal identification documents, concealing personal identity and various types of information technology-related criminal activities.

Mexico

50. Mexico confirmed that, although at the state level there were laws establishing identity abuses as offences, there was no federal legislation punishing identity-related crime. The following legislative initiatives were currently pending before the Congress for approval:

(a) Draft decree incorporating article 287 bis in the Federal Criminal Code. That provision would criminalize the impersonation of identity and would establish punishment by deprivation of liberty for a term of two to six years and a fine of 500 to 700 days of minimum wage for any person who used any means to misappropriate personal data or unlawfully impersonate another person, with or without his or her consent, for the purpose of causing damage or taking undue advantage for himself or herself or for another. Penalties would increase by one half

for those who used homonyms or physical or vocal resemblance, deceptive methods based on similarity or likeness;

(b) Draft decree incorporating in the Federal Penal Code the description of behaviours related to human trafficking and the offences of unlawful disclosure of information, crimes against peace and security, and economic crimes such as fraud and extortion that were committed through the use of computer systems;

(c) Draft initiative decree amending article 211 bis of the Federal Criminal Code. The amendment would penalize identity theft and would establish punishment by deprivation of liberty for a term of six months to one year and a fine of 100 to 1,000 days of minimum wage for any person who sought profit by creating replicas of systems to get access to information that he or she was not entitled to possess;

(d) The initiative to amend and supplement certain provisions of the Federal Penal Code to criminalize various behaviours related to the use of computer systems. The aim was to establish or increase penalties in relation to crimes conducted through information technology. Another aim was to increase penalties for those involved in child pornography, as well as those involved in stealing or destroying personal information and those who covered up operations involving illegal proceeds.

Poland

51. Poland reported that in February 2013, the Government adopted the Efficient State Strategy 2012, one of nine country-development strategies. That Strategy underlined the necessity of activities to reduce economic crime. To that end, it was highlighted that an economic crime prevention programme was currently being prepared by the Ministry of the Interior. The aim of the economic crime prevention programme was to increase the effectiveness of the instruments to prevent and combat economic crime in specific areas. Those areas included fraud and financial crime in the banking sector, insurance fraud and money-laundering. The programme called for attention to the risks associated with "phishing" and skimming (the illegal copying of payment cards).

52. Poland noted that the implementation of the economic crime prevention programme was planned for 2014. It would be accompanied by appropriate legal or organizational changes, as well as by specialized training modules or preventive actions. The national law enforcement authorities also planned to strengthen the division responsible for the protection against economic crime by organizing training courses and increasing the number of employees.

Qatar

53. Qatar reported that its Ministry of Interior had developed strategies to prevent economic fraud and identity-related crime. In the field of international cooperation, Qatar was one of the founders of the Information Technology Expert Group for the Middle East and North Africa region and participated in the development of strategies and plans to counter computer crime, including computer fraud.

54. The Ministry of Interior established partnerships with telecom companies, service providers and websites to identify suspects in order to prosecute them. Furthermore, there was cooperation with credit card companies to identify fraudulent operations. Efforts were being made to keep pace with technological developments through the use of modern technological devices and software, as well as staff training.

55. Qatar confirmed its coordination with other countries in the Gulf region, including through the exchange of information on economic fraud (criminal methods, personal photos, copies of passports etc.) in order to prevent the occurrence of such offences.

Russian Federation

56. The Russian Federation referred to the national legislation on the management of personal data, as contained in Federal Law No. 152-FZ of 27 July 2006, on personal data. Liability for the violation of the provisions of the law entailed disciplinary, administrative and criminal sanctions. In order to counter the use of personal data during the process of setting up legal persons, new types of criminal offences had been established through articles 173.1 (illegal organization of legal persons) and 173.2 (illegal use of documents for the organization of legal persons) of the Criminal Code.

57. In the area of protection of the constitutional rights of Russian citizens, the Criminal Code established liability in articles 137 (violation of privacy and private life), 140 (refusal to provide information to a citizen), 159.6 (fraud in the area of computer information) and 272 (illegal access to computer information).

58. Pursuant to article 151 of the Code of Criminal Procedure, the offences stipulated in articles 137 and 140 of the Criminal Code fell within the jurisdiction of the Investigative Committee, whereas the crimes stipulated in article 159.6 of the Criminal Code were under administrative jurisdiction. The investigation of criminal cases of an economic nature had demonstrated the frequent use of personal data in fraudulent schemes in banking transactions, as well as the usage of sham legal persons.

59. It was further reported that the Bank of Russia adopted measures on a regular basis for the identification of clients and beneficiaries, including in the area of countering illegal financial transactions.

Spain

60. Spain reported on legal measures implemented in the field of identity-related crime, including measures geared towards enhancing protection in the administrative and commercial spheres. In that regard, reference was made to the European Union regulatory and "soft law" framework (recommendation 88/590/EEC of the European Commission on payment systems and the relationship between card users and the card issuers; recommendation 97/498/EEC of the European Commission, on the payment transactions by electronic instruments; and directive 2009/136/EC of the European

Parliament and the Council of the European Union amending directive 2002/22/EC, on users' rights relating to electronic communications networks and services; directive 2002/58/EC, concerning the processing of personal data and protection of privacy in the electronic communications sector; and regulation (EC) No. 2006/2004, on cooperation between national authorities responsible for the enforcement of consumer protection laws. At the national level, Law No. 15/1999, on the protection of personal data, Law No. 7/1996, on fraudulent purchases, and Royal Decree 1720/2007 provided the relevant protective framework. Any company that dealt with personal information should apply a series of measures to ensure the confidentiality and security of documentation.

61. With regard to measures providing administrative and commercial protection in transactions involving information, and communications technologies, and supplementing civil sanctions and criminal investigations, Spain made reference to Law No. 32/2003, on general telecommunications; Law No. 34/2002, on services of the information society and electronic commerce; Law No. 59/2003, on electronic signatures; Law No. 25/2007, on preservation of data and electronic communications and public communications networks; and Royal Decree 424/2005.

62. With regard to substantive and procedural criminal aspects, the Penal Code established a series of criminal offences of relevance, such as those on fraud (article 248) and fraud related to documents (articles 390-403). Furthermore, the Criminal Procedure Code established measures in articles 301, 302 and 579 to ensure the confidentiality of proceedings and the possibility of intercepting communications for the investigation of crimes. Law No. 10/2010, on money-laundering and the financing of terrorism, provided for control measures, as well as for the prevention of fraud and the use of proxies to hide the identity of persons involved in fraudulent practices.

63. In general, Spain indicated that there was no legal vacuum regarding protection from the criminal misuse and falsification of identity. However, it was stated that some aspects of the domestic legal framework could be improved to ensure the imposition of stricter measures for perpetrators of relevant criminal activities. Spain also stressed the lacunae in international cooperation to combat related offences owing to divergent national legal approaches.

64. Spain referred to the creation of a national centre for the protection of critical infrastructure with the aim of providing protection in cases of cyber attacks within the scope of organized crime and terrorism. Moreover, it was reported that a national security scheme had been put in place through Law No. 11/2007 to strengthen the security of information systems and communications networks and support critical infrastructure. Security was further increased regarding access to personal, commercial and administrative data in all digital files.

65. It was also noted that various initiatives had been developed by the Interbank Cooperation Centre and the National Association of Financial Institutions to establish an early warning system to reduce the incidence of fraud. The Bank of Spain had developed a code of conduct regarding card payment systems.

Turkmenistan

66. Turkmenistan reported that the Ministry of Internal Affairs carried out preventive and investigative searches, as well as operational activities focusing on prevention, tracing and the interlinkages of economic crimes. Specialized units of the Ministry carried out fact-finding searches and investigations for those involved in economic crimes. The evidence gathered was sent to the investigative units of the Ministry for further investigation and subsequent transmittal to the judicial authorities.

67. Turkmenistan also referred to the domestic legal framework on money-laundering and financing of terrorism, as well as the provisions of the Criminal Code establishing offences of an economic nature.

68. In the preparation of analyses of economic crimes, special attention was given to violations constituting illegal business-related activities. On a case-by-case basis, an assessment was made regarding the legal relationships affected by and the duration and nature of the violation, together with the measurement of the proceeds derived from the offence, in order to classify the illegal activity as being business-related or not.

69. Turkmenistan highlighted that educational capacity-building seminars, with the participation of international organizations, were held for staff of the Ministry of Interior and students of the Police Institute to improve their professional skills in the detection of economic crimes and the identification of relevant criminal patterns. It was stressed that the emergence of new types of crime in this area required further capacity-building for identifying organizations and individuals involved in committing economic crimes and tracing funds illegally transferred through the use of banking systems.

III. Raising awareness about identity-related crime

70. With a view to raising awareness about the impact and the consequences of, as well as appropriate responses to, identity-related crime, UNODC was invited to attend the Technology against Crime International Forum on the topic "Technologies for a safer world", held in Lyon, France, on 8 and 9 July 2013. Organized with the sponsorship of the French Ministry of Interior and INTERPOL, the Forum's objective was to allow forward-thinking discussions and raise awareness on how technology could contribute to enhancing crime reduction policies and addressing new challenges posed by crime.

71. UNODC participated in the panel of the second round table of the Forum, on the topic "Protecting identity". The discussion revolved around the "basis of identity" as a means of identification, the different concepts of identity, the challenges posed by the criminal misuse and falsification of identity and the legal responses to identity-related crime. The protection of victims of identity-related crime, issues of international cooperation and the role of the private sector were also analysed. In the ensuing discussion, focusing on prevention, UNODC contributed to the exchange of views on the twofold interrelationship between technology and identity: how technology could facilitate the exercise of the basic right to an identity, and how technology was likely to reinforce trust in the use of identity.

UNODC presented the options offered at both the legislative and policy levels for more effective criminal justice and law enforcement responses to identity-related crime.

IV. Planned activities of the United Nations Office on Drugs and Crime

72. Owing to a lack of extrabudgetary resources, the Secretariat was not in a position to organize an additional meeting of the core group of experts on identity-related crime. The availability of the necessary resources for the organization of such a meeting would enable UNODC to comply with the mandate contained in Economic and Social Council resolution 2013/39 "to promote mutual understanding and the exchange of views and expertise between various stakeholders, in particular between public and private sector entities, on issues pertaining to identity-related crime through the future work of the core group of experts on identity-related crime". It would further provide the opportunity to use the core group of experts on identity-related crime as a "platform of expertise" for the development of model legislation on identity-related crime, addressing the needs of both common-law and civil-law systems and taking into account the views and remarks of different stakeholders from Member States, international organizations, the private sector and academia.

73. Looking ahead, UNODC is also planning to develop, subject to the availability of extrabudgetary funds, a web-based repository of information on identity-related crime. It is envisaged that such a repository will include:

(a) Relevant national legislation from Member States;

(b) Statistics on the nature and extent of identity-related crime from different jurisdictions, where available (including, where feasible, from the victim's perspective), on the relationship of identity-related crime with other criminal activities and on the impact of identity-related crime on private entities;

(c) Information and good practices for the development and implementation of national strategies or programmes against identity-related crime;

(d) Information on initiatives and measures that have been taken by the private sector against identity-related crime;

(e) Information and good practices of public-private partnerships for use against identity-related crime;

(f) Useful practices and efficient mechanisms for supporting and protecting victims of identity-related crime, for restoring victim identity and for victim remediation, including measures that have been taken by the private sector to protect customers from being victimized;

(g) Links to other relevant existing reports, studies, policy papers, assessments, handbooks and other tools for practitioners.

74. UNODC is further planning, depending on the availability of extrabudgetary funds, to develop a comprehensive package of training tools as follows:

(a) A comprehensive training manual for law enforcement and other relevant officials specialized in identity-related crime;

(b) Modular material, to be annexed to the above-mentioned training manual or for inclusion in existing training materials for law enforcement and other relevant officials, on the links between identity-related crime and other forms of crime, including economic fraud, money-laundering, corruption, terrorism and cybercrime.

75. That package of training tools will supplement the study on fraud and the criminal misuse and falsification of identity commissioned by UNODC and submitted to the Commission on Crime Prevention and Criminal Justice at its sixteenth session,[2] as well as the practical guide to international cooperation to combat identity-related crime, contained in the UNODC *Handbook on Identity-related Crime* (2011).[3] It will further address the needs of both common-law and civil-law systems, as well as differences between Member States with centralized infrastructures for identity matters and those with ad hoc approaches to identification information. The development of the training materials will facilitate, in the long run, the organization of regional training courses by UNODC, with a view to improving international cooperation.

V. Conclusions and recommendations

76. The Commission on Crime Prevention and Criminal Justice may wish to take into account the information provided by Member States on national efforts to implement measures and policies aimed at preventing, investigating, prosecuting and punishing economic fraud and identity-related crime. The Commission may also wish to encourage the core group of experts on identity-related crime to take that information into consideration when discussing elements of a multidisciplinary approach to preventing and combating identity-related crime.

77. The Commission may also wish to consider the future directions of the work of the Secretariat in the field of identity-related crime and, in so doing, focus on planned UNODC activities and provide further guidance on ways and means to provide more effective and efficient technical assistance to requesting Member States.

78. The Commission may further wish to recommend that particular attention be devoted, as appropriate, to the challenges posed by identity-related crime in the preparatory phase for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, particularly when preparing the draft declaration of the Congress, as well as in the deliberations of the Congress, when discussing item 5 of its provisional agenda, entitled "Comprehensive and balanced approaches to prevent and adequately respond to new and emerging forms of transnational crime".

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[2] See E/CN.15/2007/8 and Add.1-3.

[3] www.unodc.org/documents/treaties/UNCAC/Publications/Handbook_on_ID_Crime/10-57802_ebooke.pdf.

United Nations E/CN.15/2014/18

Economic and Social Council

Distr.: General
7 March 2014

Original: English

Commission on Crime Prevention and Criminal Justice
Twenty-third session
Vienna, 12-16 May 2014
Item 5 (e) of the provisional agenda*
Integration and coordination of efforts by the United Nations Office on Drugs and Crime and Member States in the field of crime prevention and criminal justice: other activities in support of the work of the United Nations Office on Drugs and Crime, in particular activities of the United Nations crime prevention and criminal justice programme network, non-governmental organizations and other bodies

Work of the United Nations Interregional Crime and Justice Research Institute

Note by the Secretary-General

The attached report of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute contains information on activities undertaken by the Institute and was prepared pursuant to a decision of the Board taken at its meeting held on 22 October 2013 to report to the Economic and Social Council, through the Commission on Crime Prevention and Criminal Justice, on the work of the Institute, in accordance with the statute of the Institute (Council resolution 1989/56, annex).

* E/CN.15/2014/1.

V.14-01442 (E) 180314 190314

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Major activities of the United Nations Interregional Crime and Justice Research Institute

Report of the Board of Trustees

I. Introduction

1. The United Nations Interregional Crime and Research Institute (UNICRI) was established in 1968 by the Economic and Social Council and is governed by its Board of Trustees. It reports periodically to the Council through the Commission on Crime Prevention and Criminal Justice. The programme of work of UNICRI is guided by its mandate to assist intergovernmental, governmental and non-governmental organizations in formulating and implementing improved policies in the field of crime prevention and criminal justice. Its mission is to advance security, serve justice and build peace in support of the rule of law and sustainable development. In accordance with the statute of UNICRI, all of the activities undertaken by the Institute were funded exclusively from voluntary contributions. A high level of programme delivery, and efficient and cost-effective management, contributed to exponential growth in programme development and funding.

2. The Institute carries out action-oriented research and training, provides information and advisory services and implements its activities, at the request of Governments, at the interregional and national levels. The Institute operates in specialized niches and selected fields of crime, justice, security governance and counter-terrorism, providing added value to crime prevention, the advancement of justice and the enhancement of human rights. It also serves as a platform for consultation and cooperation on sensitive issues in security governance, crime prevention and criminal justice, acting as an honest broker in bringing together different partners, such as Member States, research institutions, international organizations and civil society, in forging a common approach to addressing shared challenges.

3. The report of the Board of Trustees on the work of UNICRI maps out the strategic direction and activities of UNICRI in meeting the priorities established by the Board, as well as the achievements and challenges facing the Institute. The work of UNICRI is organized in six thematic areas:

(a) Countering the threat of organized crime to security and development;

(b) Increasing the efficiency of criminal justice systems and protection of vulnerable groups;

(c) Promoting international criminal law and practice;

(d) Sharing best practices, building capacity to promote human rights and improving access to services;

(e) Security governance and countering the appeal of terrorism;

(f) Training and advanced education: building capacity in crime prevention and criminal justice.

II. Countering the threat of organized crime to security and development

4. The objective of the thematic area on countering the threat of organized crime to security and development is to strengthen criminal justice institutions and increase the professional capacity of practitioners in combating organized crime by identifying key areas of intervention to support the adoption of policies for effective response to new and emerging threats posed by organized crime.

A. Counterfeiting: combating organized crime and illicit proceeds of crime

5. Since 2007, when the Institute published the report *Counterfeiting: a Global Spread, a Global Threat*, UNICRI has developed a comprehensive applied research programme on the issue of counterfeiting as a critical activity of organized criminal groups which threatens consumers safety and security.

1. Comparing and analysing existing legislation on proceeds of crime and asset recovery and their applicability to counterfeiting cases

6. In April 2013, UNICRI completed a research project, with the support of the Business Action to Stop Counterfeiting and Piracy initiative of the International Chamber of Commerce, which compared and analysed legislation on the confiscation of proceeds of crime and asset recovery, and its potential to serve as an effective tool for counterfeit cases. In the context of the project, legislation in Australia, Italy, Switzerland and the United Kingdom of Great Britain and Northern Ireland was analysed. The research work included data collection, comparative analysis and interviews with national and international experts and agency representatives, all with the aim of identifying best practices to effectively confiscate proceeds of intellectual property crime. The final report, entitled "Confiscation of the proceeds of IP crime: a modern tool for deterring counterfeiting and piracy", was presented to several international conferences, in particular the seventh Global Congress on Combating Counterfeiting and Piracy, held in Istanbul from 24 to 26 April 2013, and the seventh International Law Enforcement Intellectual Property Crime Conference, held in Dublin from 15 to 17 October 2013.

7. In January 2013, UNICRI launched a new research project, in partnership with the Ministry of Economic Development of Italy, to analyse the application of legislation on the confiscation of proceeds of industrial property crime and asset recovery in Italy, with a view to the possible use of such confiscated assets for economic development. The research entailed an in-depth analysis of the properties and companies confiscated from organized criminal groups involved in counterfeiting, which are currently administered by the National Agency for the Administration and Allocation of Assets Seized and Confiscated from Organized Criminal Groups. A research report will be prepared and submitted to the Government of Italy to facilitate possible practical action in that regard. The Institute is looking forward to sharing the lessons learned with other countries.

2. Initiatives to counter the involvement of organized criminal groups in the production and trade of counterfeit medicines

8. A three-year project dedicated to researching new ways to fight the involvement of organized criminal groups in the production and trade of counterfeit medicines entered its final phase in 2013. During 2014, project activities will include piloting the establishment of a communication strategy involving the public and private sectors to counter such medicines. The cooperation between Italy, Romania and the United Kingdom has led to the creation of an anti-counterfeiting stakeholders' group in Romania, with guidance provided by UNICRI.

3. Analysis of the reinvestment of illicit capital into the legal economy

9. In June 2013, UNICRI started a new project, aimed at analysing the manner in which organized criminal groups reinvest illicit capital into the legal economy, by piloting a research methodology focusing on the situation in Italy. The initiative will also include an assessment of the impact of illicit capital on the legal economy. As an extension of the initiative, UNICRI would be in a position to assist Governments, at their request and as part of its crime prevention strategy, in the tracing and recovery of the proceeds of crime.

4. Partnership with the private sector: using anti-counterfeiting technology

10. In December 2013, UNICRI started a new research initiative, with the financial support of the private sector, particularly SICPA Security Solutions, based in Lausanne, Switzerland, aimed at presenting the activities and success stories of anti-counterfeiting technology providers working with Governments. Two important objectives are the protection of consumers from dangerous counterfeits and the support of Governments in improving tax collection and revenue. A second phase of the initiative is to assess the potential of creating a platform for the exchange of information and good practices relating to anti-counterfeiting technology between public and private sector actors.

B. Countering the involvement of organized criminal groups in cybercrime

1. Research on hacker profiling and the involvement of organized criminal groups in cybercrime

11. In 2013, UNICRI presented the results of its research activities on hacker profiling and the involvement of organized criminal groups in cybercrime during major consultations with practitioners and policymakers, such as the Academy of European Law, the World Trade Centre in Algiers, the Cyberintelligence Conference in Brussels and the EUhackathon in Brussels. There was a special focus on the strengthening of public-private partnerships, working in collaboration with the National Cyber Security Centre of the Netherlands and the Microsoft Digital Crime Consortium. The Institute contributed to the training of judges, lawyers and prosecutors through presentations made at the University of Hamburg in March 2013, the Seminar on Internet Crimes and Digital Forensics, held in the framework of the European Union-Macao Cooperation Programme in the Legal

Field, and during the workshop on new threats to the cyberspace hosted by Unisys, a worldwide information technology company.

2. Information sharing with regard to cybercrime and cybersecurity

12. The Institute, together with the European Electronic Crime Task Force, developed a desk review entitled "Information sharing: perspectives and proposals" in the field of cybercrime and cybersecurity. Interested partners are invited to contribute to a database, specifying the various initiatives at the national and international levels that involve the public and private sectors.

3. Cybercrime and cyberterrorism, including environmental scanning

13. In 2013, UNICRI initiated two projects: one on the early pursuit of organized criminal groups through the use of environmental scanning, the law and intelligence systems; and one on "Security at the network edge". The projects are implemented in close collaboration with law enforcement partners, criminologists and legal experts. The Institute is also participating in the project entitled "Cybercrime and cyberterrorism European research agenda", which will be launched in 2014 and has been invited to become a member of the Advisory Group of the newly established European Cybercrime Centre.

4. Assessing the impact of cybercrime on the economy, particularly enterprises

14. In November 2013 in Lucca, Italy, UNICRI organized an international round table to discuss the current impact of cybercrime on the economy, with a focus on enterprises. They presented specific cases and good practices in cybersecurity at the national and international levels. Representatives from the European Police Office (Europol), the European Commission, the Ministry of Economic Development of Italy and Italian banks attended the event, along with representatives of important private sector entities, such as Bulgari, eBay and Confindustria (the Italian employers' association).

C. Countering environmental crime

1. Involvement of criminal networks in the trafficking and illicit disposal of toxic waste

15. To implement the recommendations of the international conference on current and emerging threats related to environmental crime, organized by UNICRI, in partnership with the United Nations Environment Programme (UNEP) and the Ministry of the Environment and the Ministry of Justice of Italy from 29 to 30 October 2012, the Institute continued its applied research work on the involvement of criminal networks in the trafficking and illicit disposal of toxic waste, particularly illegal electrical and electronic equipment waste. To enhance the capabilities of countries to address the growing phenomenon, UNICRI joined a consortium led by the International Criminal Police Organization (INTERPOL) to carry out a project on countering such trade to identify proper measures in response to the illegal export of metal-bearing waste.

2. Countering environmental crime and corruption: the case of Italy

16. Another current research initiative is designed to examine the links between environmental crime and corruption in Italy. Pursuant to the recommendations of the international conference on current and emerging threats related to environmental crime, UNICRI is initiating an in-depth study of the international legal instruments related to environmental crime in order to recommend changes, as may be necessary, to ensure their effectiveness in dealing with environmental crime.

D. Countering the involvement of organized criminal groups in licit markets: precious metals and gemstones

1. Study of the linkages between trafficking of precious metals and transnational organized crime

17. International illicit trafficking in precious metals has become a significant source of financing for organized criminal groups, which exploit loopholes in national legislation and international trade.

18. In its resolution 2013/38, the Economic and Social Council invited UNICRI to conduct a comprehensive study on the possible links between transnational organized crime and illicit trafficking in precious metals. The Institute, with the support of the Government of South Africa, developed a project to study such linkages, which will be submitted to the Commission on Crime Prevention and Criminal Justice at its twenty-fourth session, in 2015.

2. Addressing the involvement of organized criminal groups in the coloured gemstone market

19. In April 2013 in Turin, Italy, UNICRI convened an expert group meeting on a new project proposal related to coloured gemstones, in cooperation with the Vienna International Justice Institute and the International Colored Gemstone Association. Representatives from the public and private sectors from several countries, including Austria, Belgium, Brazil, Canada, China, Colombia, France, Kenya, Mozambique, the Russian Federation, South Africa, Sri Lanka, Switzerland and the United Republic of Tanzania, attended the meeting. One of the objectives was to study the feasibility of establishing a mechanism for the traceability and certification of origin of coloured gemstones, and to address the involvement of organized criminal groups in the supply chain. It was agreed that, in the initial phase of the initiative, UNICRI, in partnership with the private sector, would undertake an assessment study of the gemstone industry in the main supply countries attending the expert meeting. That would serve as a first step towards establishing a certification mechanism.

E. Nexus between organized crime, international terrorism and development

20. In response to requests from Member States relating to guidance on how to address the issues related to the increasing nexus between organized crime, terrorism and development, UNICRI will be convening a two-day meeting in the

first quarter of 2014 with the objective of better understanding the threat posed by such networks. The consultation is also expected to explore how best to assist Member States in addressing those new threats.

II. Increasing the efficiency of criminal justice systems and protection of vulnerable groups

21. The objective of the thematic area on increasing the efficiency of criminal justice systems and protection of vulnerable groups is to enhance the efficiency of the criminal justice system to protect vulnerable groups and victims of crime by promoting gender-sensitive approaches in crime prevention and security, particularly in urban settings.

A. Enhancing capacity in juvenile justice

Building capacity for the provision of human rights protection for the most vulnerable people in Mozambique

22. The Institute is implementing a pilot project aimed at building capacity for human rights protection for the most vulnerable people in Mozambique. The project will contribute to the achievement of the governance outcomes of the United Nations Development Action Framework and, in particular, the strengthening of democratic governance systems, equity, rule of law and respect for human rights. The Institute is providing support to the Ministry of Justice, the Attorney-General for Minors, the Tribunal for Minors and the Ministry of Interior with regard to addressing the situation of minors in conflict with the law, in particular by revising a legislative manual and legislation related to the protection of women and children. Three thousand copies of the manual will be distributed to police schools and training courses. The Institute is also organizing a special training for magistrates and prosecutors working with minors in conflict with the law. In collaboration with the Office of the United Nations High Commissioner for Refugees and the International Organization for Migration (IOM), UNICRI is drafting a pilot set of national standard operating procedures for integrated border management, which include procedures related to profile assessment, identification, and referral and protection of and provision of assistance to migrants and refugees, as well as the humane processing of irregular migrants.

B. Reducing vulnerabilities

1. Strengthening the capacity of civil society organizations to empower vulnerable groups in participating in the democratic process

23. Through its project entitled "Giving voice to the most vulnerable", UNICRI is strengthening the capacity of a number of civil society organizations that are working to enable vulnerable groups, in particular women, young people and children, to participate and advocate for their rights in the democratic process and development agenda of Mozambique. The focus of the project is on assisting civil society organizations by providing information through the most cost-effective and

accessible channels of communication possible in that country, particularly the national radio. The overall objective is to provide a voice to the most vulnerable groups in the development dialogue in Mozambique and contribute to the participation of all citizens in that country in shaping a transparent and equitable national development agenda. In collaboration with the United Nations Children's Fund and the United Nations Population Fund, UNICRI is carrying out the elaboration and production of radio programmes aimed at juveniles, in particular programmes on children rights and access to justice, with a special focus on crime prevention and minors at risk or in conflict with the law.

2. Preventing discrimination against and the killing of persons with albinism

24. The Institute continued implementation of the research project to enhance the protection of fundamental human rights in cultural conflicts, in particular with regard to the discrimination against and killing of persons with albinism. In 2013, UNICRI contributed to the report of the Office of the United Nations High Commissioner for Human Rights on persons with albinism (A/HRC/24/57), submitted to the Human Rights Council at its twenty-fourth session in response to its resolution 23/13 of 13 June 2013. Together with the Zimbabwe Albino Association and Public Health Projects in Africa, a small project has been initiated to address problems faced by persons with albinism through a community participatory approach. The pilot project could be replicated in other African countries.

3. Capacity-building for the prevention of substance abuse and the treatment and rehabilitation of substance abusers

25. The Institute continued the implementation, in partnership with the authorities of the region of Calabria, Italy, of a regional plan for the prevention of substance abuse and the provision of treatment and rehabilitation for substance abusers. The pilot project is facilitating the integration of national and international efforts to identify good practices and adapt them to different national contexts. The project will serve as a platform for dialogue and the sharing of best practices and policies among drug abuse prevention, criminal justice and health practitioners. In 2013, the first epidemiological report on the state of drug addiction in Calabria was prepared by UNICRI. It will serve as an important cornerstone for setting up a regional observatory on drugs and drug addiction.

C. Countering gender-based violence

1. Domestic violence, discrimination and access to justice and welfare services

26. Countering gender-based violence is central to the work of UNICRI. Following the first full-scale survey conducted in the 28 European Union member States of women's experiences of violence, UNICRI launched a new research project aimed at providing data on the consequences of the economic crisis on women's rights and gender inequality. It focuses on domestic violence, discrimination and access to justice and welfare services, and explores possible strategies which can help to minimize risks and alleviate conditions that create vulnerability. Documented case studies are being collected at the grassroots level in

four countries in the Mediterranean subregion: France, Greece, Italy and Spain. The impact of the economic downturn on women in the countries of the Mediterranean subregion and the coping responses of their respective Governments are being studied from a gender perspective. The project is aimed at addressing the gap in research on the gender impact of the economic crisis at the national and regional levels and to contribute to the post-2015 development framework.

2. Supporting vulnerable women affected by drug and alcohol abuse

27. Gender differences with regard to drug addiction and the need to support vulnerable women affected by drug and alcohol abuse represent challenges that are facing most societies. To respond to requests for support and guidance, UNICRI initiated the project entitled Drug and Alcohol Women's Network, through which a network of professionals has been established to actively advocate and assist in the development and implementation of evidence-based interventions, policies and best practices tailored to the needs of women. The project promotes a gender-responsive approach to all addiction prevention, treatment and recovery programmes and to professional working practices tailored to women.

28. Pursuant to Commission on Narcotic Drugs resolution 55/5, on promoting strategies and measures addressing specific needs of women in the context of comprehensive and integrated drug demand reduction programmes and strategies, UNICRI developed a series of professional tools, such as best practice manuals, Internet-based learning platforms and training courses, to be launched in 2014. The Institute also organized awareness-raising events in countries of the Mediterranean subregion. The support of the Department for Anti-Drug Policies of Italy has been crucial to the success and the continuation of this innovative project, which is developing a large-scale programme for promoting gender equality and addressing gender-based vulnerability, with particular reference to substance abuse and related phenomena. The Institute presented its project activities at the international training session on implementing drug strategies and interventions in the Mediterranean subregion, convened by the Government of Italy in Rome in December 2013, with the participation of the United Nations Office on Drugs and Crime (UNODC), the European Monitoring Centre for Drugs and Drug Addiction, the Council of Europe and countries of the Mediterranean subregion.

D. Promoting crime prevention and security in urban settings

29. The Institute, the Municipality of Turin, the United Nations Human Settlements Programme (UN-Habitat) and private foundations jointly organized the International Forum of Mayors on Security and Crime Prevention in Urban Settings, held in Turin, Italy, on 20 and 21 May 2013. The Forum addressed security, crime prevention and criminal justice in urban settings with the involvement of cities from different continents, in particular: Bangkok; Modena, Italy; Hebron; Beirut; Ouagadougou; Seoul; Durban, South Africa; St. Petersburg, Russian Federation; Lyon, France; Madrid; Makati, the Philippines; Turin, Italy; Cape Town, South Africa; Asunción; Santiago; and Maputo, as well as the United Nations Development Programme Regional Centre for Latin America and the Caribbean. The Forum served as a platform for the exchange of best practices and contributed

to the preparation of guidelines and programmes to support municipalities in promoting security, crime prevention and criminal justice in urban environments.

1. Empowering victims of crime in Naples, Italy

30. As a follow-up to the International Forum of Mayors on Security and Crime Prevention in Urban Settings, UNICRI developed a pilot project, in partnership with the municipality of Naples, local civil society organizations (particularly associations of victims of crime) and the local media, for the empowerment of victims of crime. The pilot project, entitled "Voices against crime: stories of crime in Naples", was launched on 11 February 2014 at the city hall of Naples. It will contribute to increased knowledge and awareness of the testimony and experiences of victims of crime in that city and to the adoption of improved crime prevention policies and practices by national and local authorities. The pilot project will be replicated in other cities and expanded to cover activities relating to the empowerment of the victims of crime as a critical part of crime prevention.

2. Addressing the phenomenon of youth gangs in urban settings

31. In 2013, UNICRI launched a new initiative on youth gangs in urban settings. An expert group meeting to address the increasing phenomenon of youth gangs, particularly in Central America and Europe, will be convened in the first quarter of 2014, with the participation of experts from academia and practitioners from different regions. The meeting will serve as a platform to share knowledge, exchange expertise and showcase results in crime prevention strategies addressing youth gangs in the urban environment.

3. Migrant flower vendors on the streets of Turin: self-employed migrants and their vulnerabilities

32. In the context of the UNICRI programme on crime prevention and security in urban settings, the Institute is implementing a new research project on migrant flower vendors on the streets of Turin, focusing on the wider group of self-employed migrants and their vulnerability to violence, possible exploitation and victimization. The research will shed light on migration flows and contribute to a better understanding of self-employed migrants and their vulnerabilities.

III. Promoting international criminal law and practice

33. The objective of the thematic area on promoting international criminal law and practice is to promote international criminal law through the transfer of the knowledge and practices of international criminal tribunals to national judiciaries and contributions to combating maritime piracy.

A. Maritime piracy

1. Serving as a repository for court decisions on piracy cases

34. In partnership with IMO, UNICRI has established a database on court decisions related to piracy off the coast of Somalia. Governments were invited by

IMO to submit related information to UNICRI. In line with the request of IMO member States, the database will also include judgements relating to piracy in other areas besides Somalia, as well as other piracy-related crimes and information on post-trial transfer. The Institute shared the preliminary research findings and assessment of the various aspects of piracy off the coast of Somalia, drawn from the database, with the Legal Committee of IMO at its meeting held in London from 15 to 19 April 2013.

2. Contributing to a soft-law instrument on the use of privately contracted armed security personnel on-board ships

35. The Institute initiated a research project related to the use of privately contracted armed security personnel on-board ships. Two informal expert working group meetings were held in Rome, on 26 March and 15 and 16 October 2013. The experts, participating in their individual capacity, worked on developing a "soft law" instrument comprising of a set of guidelines and standards regarding the use of privately contracted armed security personnel on-board merchant vessels, for the use of private sector companies and interested Governments. The report of the informal expert working group was presented to Working Group 2 of the Contact Group on Piracy off the Coast of Somalia at its twelfth session, held in Copenhagen in April 2013, and at its thirteenth session, held in Djibouti in November 2013.

B. War Crimes Justice Project: transferring the knowledge and practice of international criminal tribunals

36. As part of its capacity-building initiative, UNICRI has initiated programmes to gather and transfer the knowledge and practices of international criminal tribunals to national judiciaries so as to facilitate the prosecution of war crimes, crimes against humanity and genocide. The initiative, entitled the War Crimes Justice Project, has contributed to the successful transfer of knowledge on war crimes cases from the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 to the countries of the former Yugoslavia. To support and build the capacity of legal professionals in criminal defence, UNICRI organized an annual training seminar, using the manual on developed practices in international criminal defence prepared jointly by the Association of Defence Counsel Practising before the International Tribunal for the Former Yugoslavia and UNICRI. Training tools, particularly an e-learning portal available on the UNICRI website, provide access to a repository of relevant international conventions and treaties, national legislation and the jurisprudence of the Tribunal.

37. The Institute, in cooperation with the Tribunal, is elaborating a digest on customary law to complement the work already done in that field. The digest will assist national jurisdictions in their efforts to conform to the substantive law applied by the Tribunal, much of which consists of rules of customary international law. The Institute is also supporting the Tribunal and the countries of the former Yugoslavia in their efforts to open Tribunal information centres, which will host digital copies of the Tribunal's public archive currently being established in Bosnia and Herzegovina, Croatia and Serbia.

38. The Institute is expanding the partnerships established with the International Criminal Court (ICC) and the Tribunal to other international and hybrid judicial institutions, such as the Special Tribunal for Lebanon. The Institute has exchanged letters of agreement as a first step in building a strong partnership on mutual areas of interest, for example through the preparation by UNICRI and the Special Tribunal for Lebanon of a joint publication focusing on the development of fair trial practices for terrorism cases in domestic jurisdictions.

IV. Sharing best practices, building capacity to promote human rights and improving access to services

39. The objective of the thematic area on sharing best practices, building capacity to promote human rights and improving access to services is to protect human rights and provide evidence-based research to promote capacity-building and best practices to improve access to services.

A. Promoting fundamental rights and citizenship

1. Protection of human rights in profiling cases

40. The Institute is leading a consortium of partners in a pilot project aimed at outlining the main challenges to human rights resulting from profiling practices, under the Fundamental Rights and Citizenship programme of the European Commission. The programme focuses on identifying and tackling the challenges posed by technology to the fundamental right of data protection. During 2013, UNICRI carried out background research, reflected in two working papers, on the impact of profiling on fundamental rights. The consortium of partners also worked on a checklist for studying the risks of profiling and the preparation of a practical tool for stakeholders, policymakers, Governments, civil society and civil servants when approaching issues related to profiling. A related goal is the elaboration of a questionnaire to assess the present European legal framework on profiling and issues such as application domains, complaint procedures and remedies, citizen awareness and impacts on fundamental rights. The questionnaire has been submitted to the national data protection authorities of the 28 European Union member States and Switzerland. This would constitute the first full-scale survey carried out at the European level on the issue of automated profiling. The best practices emerging from the programme will be shared with interested partners.

2. Protection of human rights in clinical drug trials

41. At the request of different stakeholders, UNICRI has taken initiatives to protect and promote the human rights and to ensure the well-being of participants in clinical drug trials and research. Special attention has been given to the legal and criminal justice aspects of drug trials, including fraud, respect for international ethical standards, control of the quality of drugs and the effectiveness of legislative frameworks. Building on the successful training programmes carried out in Mwanza, United Republic of Tanzania, in 2012 and Harare in 2013, UNICRI will organize an advanced training course in Harare in 2014. A training programme, to be hosted by the Government of Ghana, is tentatively planned for mid-2014.

3. Eradicating any form of racism, racial discrimination, xenophobia or related intolerance

42. To support Governments and the international community in eradicating any form of racism, racial discrimination, xenophobia or related intolerance, UNICRI joined a consortium of nine partners to implement a 24-month project entitled LIGHT ON (Cross-community actions for combating the modern symbolism and languages of racism and discrimination) within the framework of the Fundamental Rights and Citizenship programme of the European Commission. The project is aimed at developing a common culture that denounces racism and promoting an active role of community actors in addressing racism, xenophobia and related forms of intolerance. It addresses the dangerous underestimation of the social disvalue of racism and the progressive normalization of racist images and expressions in society. The project employs a community approach involving different stakeholders, including citizens, groups, victims, law enforcement agencies and legal authorities. The objective of UNICRI, starting with this project, is to build a better understanding at the international level of hate crime and promote the values of equality and non-discrimination through the use of training activities to raise awareness regarding victims and the capacity of law enforcement agencies. An anti-racism "toolbox", including a mobile phone application, a hate crime reporting kit and a self-reporting form for the victims of hate crimes and witnesses, will be developed.

B. Establishing a platform to provide access to evidence-based research

43. Through its "Scientific community on addiction" project, UNICRI has established a platform to facilitate the identification and diffusion of best international practices related to the prevention of substance abuse and the treatment and rehabilitation of drug abusers, and has set up national training programmes for professionals in countries in the Mediterranean subregion. The project, which uses a dedicated online platform, offers access to the most recent evidence-based research disseminated through special periodicals and newsletters, and provides practitioners, policymakers and judiciary and law enforcement personnel with an updated tool to better understand recent drug-related trends and other issues.

C. Research and dissemination of best practices to promote healthy lifestyles and counter addiction

44. The Institute is partnering with 43 research institutions in 25 European countries to implement the Europe-wide research project entitled "Addiction and lifestyles in contemporary Europe: reframing addictions project (ALICE RAP)". The project provides a framework for the analysis of the challenges that addiction poses to the cohesion, organization and functioning of contemporary European society. In the context of the project, the Institute is studying the cost of addiction for criminal justice systems and alternatives to the incarceration of drug abusers. The Institute has completed a number of interviews with inmates in five Italian prisons that have been sentenced for drug-related crimes, including high-security prisoners. The interviews will be part of a research study that will also analyse

interviews from Germany, Slovenia and the United Kingdom, with a view to a better understanding of the functioning of illicit drug markets in Europe. The Institute's methodology will be reflected as a "best practice" and published in March or April 2014.

D. Thematic programme on law enforcement and public health

45. Under a law enforcement and public health initiative, UNICRI is investigating ways to improve cooperation between police, and the criminal justice system in general, with health authorities and programmes in order to provide effective approaches to the problems of drug use and dependence. The perspectives of the criminal justice system and health authorities are often in conflict, as demonstrated by the difficulties in garnering police support for HIV-prevention strategies in many parts of the world. The UNICRI project will contribute to formulating a collaborative approach between health authorities and criminal justice systems in addressing problems such as illicit drug use, and will attempt to reconcile the conflicting perspectives. The initiative was endorsed by the Conference on Prevention Strategy and Policymakers, which was held in Rome in October 2012 and attended by representatives of UNODC, the International Narcotics Control Board and international and civil society organizations.

V. Security governance and countering violent extremism

46. The objective of the thematic area on security governance and countering violent extremism is to work in specialized niches in which UNICRI has established itself as a centre of expertise and a credible partner by following a security governance approach that involves security and law enforcement agencies, as well as a broad cross section of civil society, local and regional authorities, the private sector and other agencies working to advance economic development and human rights.

A. Enhancing security at major events

47. In its resolution 2006/28, the Economic and Social Council invited UNICRI to continue and expand its work on the International Permanent Observatory on Security Measures during Major Events. Because of their scale and high visibility, major events are vulnerable targets for unlawful activities, including terrorism, and can be exploited by organized criminal groups to further their illegal activities. The Institute is implementing two regional initiatives in that regard. The Institute set up the "Protecting major events to foster crime prevention strategies" initiative in cooperation with the Organization of American States (OAS). The initiative provides training and advisory services to security planners in preparation for major events to be hosted in the Americas. A second regional initiative, entitled "Enhancing European coordination of national research programmes in the area of security at major events: The House", involves 24 European Union member States. As part of both initiatives, UNICRI has identified applicable security standards and best practices, and tailored technical tools have been developed to assist policymakers and practitioners in planning security for major events. The Institute is

currently working on the development of a secure electronic platform, which will include all of the tools and best practices available to enhance support to security planners, along with a comprehensive repository of information.

48. The Institute provided technical assistance and advisory services to requesting member States in planning the security of major events. In 2013, UNICRI provided services to several governments, including Chile and the Dominican Republic with regard to regional and subregional workshops, Costa Rica for the organization of the Central American Games, Ireland and Lithuania for the Presidency of the European Union, Slovakia for the Rainbow March and Poland for the European Volleyball Championship.

49. In view of the success of the regional approach, UNICRI is establishing partnerships with other regional organizations to design similar initiatives, including in Africa, the Asia-Pacific region and the Middle East. The Institute aims, for example, to establish a regional platform and mechanism for sport security and safety for the Middle East and North Africa region, in partnership with the International Centre for Sport Security, based in Doha.

B. Countering the appeal of terrorism: rehabilitation of violent extremists

50. As part of the Counter-Terrorism Implementation Task Force of the United Nations, the Institute's Counter-Terrorism Programme assists Member States, at their request, in designing, developing and implementing rehabilitation and reintegration programmes for violent extremists in prison settings, in support of the United Nations Global Counter-Terrorism Strategy. The programme promotes the implementation of the Standard Minimum Rules for Treatment of Prisoners and is guided by the Rome Memorandum on Good Practices for Rehabilitation and Reintegration of Violent Extremist Offenders, adopted in Istanbul in June 2012 by the ministerial meeting of the Global Counterterrorism Forum.

1. Presentation to the Security Council of the Institute's programme for the rehabilitation of violent extremists

51. In May 2013, UNICRI, at the invitation of the Chair of the Security Council Counter-Terrorism Committee, presented to the Council an overview of the progress made in developing and implementing programmes for the rehabilitation and reintegration of violent extremists in prison settings. Particular attention was given to the 29 best practices covered in the Rome Memorandum and the capacity-building programme of UNICRI in support of Member States, upon request.

2. Programme developments

52. Since January 2013, UNICRI and the Organization for Security and Cooperation in Europe office in Tajikistan have been working in partnership with the Government of Tajikistan to develop a programme to prevent and counter violent extremism in prison settings. The programme would include providing a specialized, technical training programme for the rehabilitation and reintegration of violent extremists. On 26 and 27 February 2013, UNICRI and the African Centre for Studies and Research on Terrorism organized a regional technical workshop on the

disengagement and rehabilitation of violent extremists for North African and Sahel countries in Algiers. Following consultation with the Sahel countries, UNICRI and the Centre prepared a proposal aimed at developing a regional programme.

3. Partnership with the Global Counterterrorism Forum

53. To enhance awareness of the good practices and guidelines contained in the Rome Memorandum, UNICRI, in partnership with the Global Counterterrorism Forum and its International Centre of Excellence for Countering Violent Extremism, and the International Centre for Counter-Terrorism in The Hague, co-organized in Abu Dhabi from 3 to 5 June 2013 a meeting of the working group on countering violent extremism, deradicalization and reintegration of violent extremists. On 29 and 30 October 2013, UNICRI and the Government of Spain organized a working group meeting for the member States of the Global Counterterrorism Forum, other interested States and individual experts, on the role of religious scholars and other ideological experts in deradicalization in prisons. The meetings reviewed how Governments could successfully incorporate the principles of the Rome Memorandum into their programmes.

C. Mitigating the risks posed by trafficking in and criminal use of chemical, biological, radiological and nuclear materials

54. The criminal use of chemical, biological, radiological and nuclear materials poses a critical threat to peace, security and the health of citizens, as reflected in a number of instruments and resolutions, such as Security Council resolution 1540 (2004). The Institute is currently implementing, jointly with the European Commission and its Joint Research Centre, a project for the establishment of chemical, biological, radiological and nuclear centres of excellence. The goal of this European Union initiative is to facilitate regional cooperation and enhance chemical, biological, radiological and nuclear policies and capabilities by creating a network of regional initiatives that promote and support the development and implementation of national policies in that regard. This includes specific tailored projects that address regional needs such as protection of material/facilities, public and infrastructure protection, denying support for misuse and terrorism, border control/border monitoring, illicit trafficking, waste management, first response, public health impact mitigation and post-incident recovery. The Institute is currently monitoring the implementation and evaluation of 19 projects, which include the provision of training and equipment, knowledge development, special and technical support and awareness-raising.

55. The initiative currently covers 43 countries and eight subregions: the African Atlantic façade; Central Asia; the Middle East; countries in the Gulf area; North Africa; South-East Asia; South-Eastern Europe, the Caucasus, the Republic of Moldova and Ukraine; and Central and East Africa. In 2013, UNICRI contributed to the establishment and official opening of regional secretariats for the project in Rabat, Amman, Manila and Tbilisi. Regional secretariats have also been established in Nairobi and Algiers.

@tomic: simulating a global incident involving radiological/nuclear terrorism

56. Together with the European Commission, INTERPOL, the International Atomic Energy Agency, the Ministry of Foreign Affairs of the Netherlands and the Netherlands Forensic Institute, UNICRI supported the international tabletop exercise called "@tomic 2012", held in Maastricht, the Netherlands, from 18 to 20 February 2014 and organized by the National Coordinator for Counterterrorism and Security of the Netherlands in The Hague. The @tomic 2012 exercise was one of the first international attempts to envisage a global incident involving radiological/nuclear terrorism with a cybercrime scenario. The simulation exercise involved 150 participants from 30 countries. The Institute assisted the National Coordinator and the Netherlands Forensic Institute in organizing @tomic 2014, as part of the preparations for the Nuclear Security Summit 2014, to be held in The Hague on 24 and 25 March 2014.

D. Public-private initiatives

57. As part of the programme on public-private partnerships in addressing security policies, UNICRI, in partnership with the Ministry of Justice of Brazil and the Intelligence System of Portugal, organized a seminar in Lisbon to exchange experiences and best practices regarding the protection of vulnerable targets and critical infrastructure during the security-planning stages of a major event. Specific attention was paid to the role of public-private cooperation in international sporting events such as the events held in Portugal in 2004, the Summer Olympic Games in London in 2012, and the International Federation of Association Football World Cup and the Summer Olympic Games in Rio de Janeiro, which will be hosted by Brazil in 2014 and 2016, respectively.

58. The Institute has initiated a pilot project involving public-private partnerships aimed at preventing crime and enhancing security in a science and technology park in Lisbon, as a test-case for the proposed recommendations contained in the UNICRI "Handbook to assist the establishment of public-private partnerships to protect vulnerable targets". On 9 October 2013, the Institute assisted the Public Security Police and the local business community in the organization of a simulation exercise consisting of a general evacuation; around 6,000 civilians and 400 officers participated in the exercise. The final report includes the identification of vulnerabilities, as well as recommendations for improving current security measures.

VI. Training and advanced education: building capacity in crime prevention and criminal justice

59. The objective of this thematic area is to build capacity in crime prevention and criminal justice through training and advanced education.

60. Capacity-building and specialized training are the core businesses of UNICRI and cut across its programme of work. The Institute is expanding its partnerships with universities and training institutes worldwide with a view to enhancing legal awareness and promoting greater understanding of human rights, crime prevention

and criminal justice. In that regard, special focus is placed on education and training at the postgraduate and professional levels in order to strengthen the rule of law and legal capacity. In 2013, the Institute signed a memorandum of understanding with the Universidad Argentina John F. Kennedy to launch a joint master of law (LLM) programme focusing on international criminal law and justice, starting in 2014. New partnerships for the organization of tailor-made courses will continue to be initiated in 2014 in partnership with the national judicial school of Sri Lanka and the Ministry of Interior of the United Arab Emirates. In 2013, UNICRI offered its seventh annual LLM programme in international crime and justice, organized jointly with the University of Turin and attended by 42 postgraduate students from 26 countries. During 2013, UNICRI organized, in cooperation with John Cabot University in Rome, the second edition of the Summer School on Human Rights.

A. International criminal law defence seminar

61. To build capacity and share expertise, UNICRI designs and implements specialized training courses for executives and judicial and other personnel, for example, the International Criminal Law Defence Seminar for legal practitioners interested in litigating international criminal law cases at the national or international level. The Seminar is conducted under the aegis of the ICC Office of Public Counsel for the Defence and the International Association of Lawyers. Another example of a specialized course is the one on human rights and correctional systems for Brazilian judiciary personnel, which was organized by UNICRI for the fourth time in 2013.

B. Media training and learning

62. In 2013, UNICRI launched the Journalism and Public Information Programme, which is tailored for journalists, chief information officers, public information professionals and students seeking a career in the world of public information. The programme is aimed at deepening knowledge of emerging security threats. Over the course of the workshops, participants become skilled in handling information related to new threats. Partnerships have been developed with United Nations entities, particularly the United Nations Regional Information Centre and universities dealing with public information.

C. Building the capacity of national competent authorities

63. Another thematic training sector is the partnership between UNICRI and the secretariat of the International Narcotics Control Board, the World Health Organization Regional Office for Africa and UNODC, which organized a training course for competent national authorities under the international drug control treaties. Twelve West African countries benefited from the training course, which was delivered in June 2013 at the headquarters of the Economic Commission for Africa in Addis Ababa. Another regional training event will be organized in 2014 in partnership with the International Narcotics Control Board.

D. Documentation Centre

64. The UNICRI Documentation Centre updated and implemented new online services in support of research, training and analysis in crime prevention and criminal justice, with an increased number of users accessing pages on its website. In 2013, the Documentation Centre continued its long-term involvement in assisting with the training activities carried out by the Institute and in providing specialized resources, a dedicated online platform and specialized services, such as a new online bibliography.

VII. Risk assessment and management of the Institute

A. Implementing a risk management policy

65. As an entity dependent on voluntary contributions, UNICRI is particularly exposed to threats from both the internal and external environments, which affects the Institute's performance, sustainability and reputation. A systematic approach to risk management has been put in place to add value to decision-making and provide assurance to UNICRI stakeholders that important risks for UNICRI are being dealt with appropriately.

66. The Board of Trustees of UNICRI, at its meeting on 22 October 2013, approved the UNICRI risk management policy as an instrument which articulates the main principles for the UNICRI risk management approach, assigns roles and responsibilities related to risk management and describes the risk management process. These consist of three main steps: (a) risk identification, risk evaluation and risk prioritization; (b) risk response; and (c) monitoring and reporting. The Board decided to review risk management at its future sessions when it considers the work programme of UNICRI. It also decided that all projects should follow the risk assessment and mitigation approach.

B. Management of the Institute

1. High level of programme delivery and cost-effective management

67. At its meeting held in Rome on 21 and 22 October 2013, the Board of Trustees of UNICRI expressed its appreciation for the very high level of programme delivery following exponential growth in programme development and funding in the previous year. This high rate of implementation was achieved in the most efficient and cost effective manner possible, as reflected in a recent independent study, which found that the ratio of support cost to substantive delivery in UNICRI was 94.6 per cent, an indication of the very lean management and administrative structure. During 2013, programme delivery (project expenditures) exceeded $21.3 million. During the 2012-2013 biennium, however, and particularly in 2012, UNICRI was adversely impacted by a significant decrease in unearmarked contributions to the general-purpose fund. As UNICRI does not receive any funding from the regular budget of the United Nations, the deficit was covered through income earned from programme support costs levied on special-purpose contributions for funding projects implemented by UNICRI.

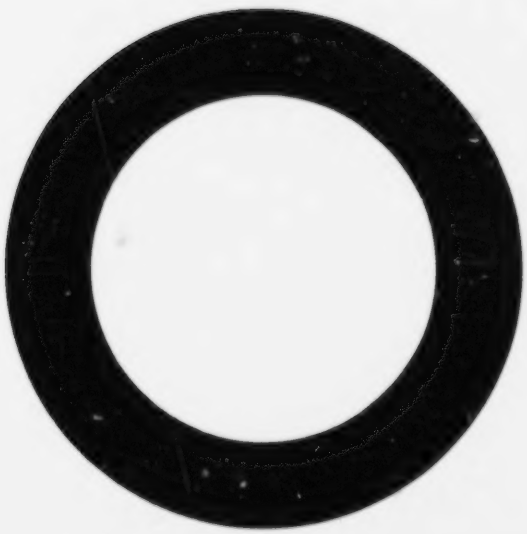
2. Approval of a balanced budget for the 2014-2015 biennium and budget proposal and priorities for 2014 prepared in a results-based format

68. The Board approved a balanced budget for the 2014-2015 biennium, and the budget proposal and programme priorities for 2014 were prepared, for the first time, in a results-based format. The budget proposals took into account the projected income stream and all requirements, distributed into three categories: general purpose; programme support costs; and special purpose. In order to link the results of the Institute's programme of work and activities to its financial resources, the budget presents a logical framework outlining the objective, expected accomplishments and indicators of achievement for each component of the UNICRI programme.

69. The largest portion of the 2014 budget estimates for special-purpose requirements will be financed through funding agreements that have already been signed, supporting priorities already established by the Board, particularly those related to chemical, biological, radiological and nuclear materials; counter-terrorism; security at major events; and emerging crimes. A significant share will be financed through funding arrangements that are near finalization. During the course of the budget year, UNICRI will continue to enjoy operational flexibility and enter into funding agreements for projects falling within the strategy and the programmatic priorities established by the Board, and to initiate implementation upon receipt of funds. The direct operational costs for project implementation, including staff recruited for project implementation, are directly charged to the project. In approving the budget, the Board recommends that UNICRI ensure that sufficient funding is available for various projects, including any additional projects identified during 2014, and that the general-purpose fund has a sufficient balance to ensure the continuity of UNICRI operations.

3. New initiatives and partnerships

70. The Board welcomed the working partnerships forged and nurtured with international organizations, particularly the European Union; specialized agencies such as UNEP, UN-Habitat, the World Bank and IMO; other international organizations, such as OAS, Europol and INTERPOL; and the private sector, including the Cartier Foundation for Contemporary Art, SICPA Security Solutions and the Compagnia di San Paolo. This development contributed to expanding the donor base of UNICRI. The Board welcomed the initiative of UNICRI to develop a strategic framework, with the executive secretariat of the Community of Portuguese-Speaking Countries, to support the member States of the Community in their efforts to counter organized crime and corruption and to promote crime prevention and security in urban settings.



United Nations E/CN.15/2014/18/Add.1

Economic and Social Council

Distr.: General
12 May 2014

Original: English

Commission on Crime Prevention and Criminal Justice
Twenty-third session
Vienna, 12-16 May 2014
Item 5 (e) of the provisional agenda*
Integration and coordination of efforts by the United Nations Office on Drugs and Crime and Member States in the field of crime prevention and criminal justice: other activities in support of the work of the United Nations Office on Drugs and Crime, in particular activities of the United Nations crime prevention and criminal justice programme network, non-governmental organizations and other bodies

Nomination of members of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute

Note by the Secretary-General

Addendum

1. The attention of the Commission on Crime Prevention and Criminal Justice is drawn to a matter concerning the composition of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute (UNICRI) requiring action on the part of the Commission and the Economic and Social Council. The terms of four members of the Board, namely Eduardo Fungairiño (Spain), Pedro David (Argentina), Stuart Page (Australia) and Alexander Zmeyevskiy (Russian Federation), have expired. Eduardo Fungairiño, Stuart Page and Alexander Zmeyevskiy are at the end of their first terms, while Pedro David is at the end of his second term.

* E/CN.15/2014/1.

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2. According to the article IV of the statute of the Institute (Economic and Social Council resolution 1989/56, annex):

> "2 The Board shall be composed of the following:
>
> "(a) Seven members selected by the Committee on Crime Prevention and Control[1] upon nomination by the Secretary-General and endorsed by the Economic and Social Council, with due regard to the fact that the Institute and its work are funded from voluntary contributions and to the principle of equitable geographic distribution. The members shall be chosen from among eminent persons who possess the necessary qualifications and expertise. They shall serve in their individual capacity for a term of five years from the date of the first Board meeting in which they are invited to participate. They shall be eligible for reappointment by the Committee on Crime Prevention and Control with endorsement of the Economic and Social Council for not more than one additional term."

3. The following three candidates are proposed for selection by the Commission on Crime Prevention and Criminal Justice: Carlos Castresana (Spain), Mohammed Hanzab (Qatar) and Joel Antonio Hernández García (Mexico). Stuart Page has offered to serve a second term and is proposed for re-election.

4. The principle of equitable geographical distribution is taken into account in the composition of the Board. The current Board of Trustees of UNICRI is composed of:

Pedro David (Argentina)

Eduardo Fungairiño (Spain)

Taous Feroukhi (Algeria)

Jayantilal Karia (Uganda)

Stuart Page (Australia)

Elizabeth Verville (United States of America)

Alexander Zmeyevskiy (Russian Federation)

5. Background information on the three proposed candidates is provided in the annex to the present document. More detailed background information on those candidates is available from the secretariat.

[1] Following the adoption of Economic and Social Council Resolution 1992/1, the Committee on Crime Prevention and Control is to be read as the Commission on Crime Prevention and Criminal Justice.

Annex

Background information on candidates nominated to fill a position on the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute

Carlos Castresana (Spain)

1. Carlos Castresana is currently a public prosecutor of the Supreme Court of Spain (appointed by royal decree in 2005), in the Criminal Affairs Section. He previously served as a special prosecutor of the Supreme Court Office against Corruption from 1995 to 2005. Before that, from 1993 to 1995, he served in the Special Prosecution Office against Drug Traffic.

2. Since 2003, he has intermittently worked as a consultant for the United Nations, serving at various project meetings as an expert appointed by the United Nations Office on Drugs and Crime (UNODC) and the Department of Political Affairs of the Secretariat. In 2006, he was appointed by UNODC as a coordinator of the project concerning crime prevention and abuse and illegal use of drugs. He was appointed by the World Bank in 2006 as an expert for an anti-corruption workshop which took place in the United Arab Emirates, as well as by the International Commission of Jurists in 2005 for a mission to Colombia.

3. In 2007, he was appointed by the Secretary-General of the United Nations as Commissioner of the International Commission against Impunity in Guatemala, at the level of Assistant-Secretary-General of the United Nations for a two-year term. In 2009, he was reappointed by the Secretary-General for two more years. He served for one year before resigning to return to serve on the Supreme Court of Spain.

Mohammed Hanzab (Qatar)

1. Mohammed Hanzab is currently the President of the International Centre for Sport Security, a member of the Sorbonne Steering Committee on Sport Integrity and President of the Qatar International Academy for Security Studies.

2. Between 1997 and 2001, he designed and coordinated the Gulf Cooperation Council project on command and control regarding joint security operations, including the coordination of major air operations in the region, based on relevant Security Council resolutions.

3. His career in the military includes serving as Lieutenant Colonel in the Qatar Armed Forces and as Commander of the Qatar Air Defence School, as well as working at the Qatar Air Defence Project and the Qatar Information Agency.

Joel Antonio Hernández García (Mexico)

1. Joel Antonio Hernández García is currently the Chair of the Commission of Personnel of the Mexican Foreign Service. Prior to this, he served as the Permanent Representative of Mexico to the Organization of American States

from 2011 to 2013. From 2005 until 2011, he was the Legal Adviser of the Ministry of Foreign Affairs of Mexico. He served as the Director-General for United Nations Affairs in 2005 and as Deputy Legal Adviser from 2002 to 2005 for the Ministry of Foreign Affairs of Mexico. Prior to this, he was the alternate representative of Mexico to the United Nations (Vienna) from 1999 to 2001. From 1995 to 1999, he served as Deputy Consul General of Mexico in New York. Before that, he held the position of Director for United Nations Political and Disarmament Affairs for the Ministry of Foreign Affairs of Mexico from 1992 until 1995.

2. He also served as the agent of Mexico in the request for interpretation of the judgment of the International Court of Justice of 31 March 2004, and was co-agent in the case of *Jorge Castañeda Gutman v. Mexico* before the Inter-American Court of Human Rights. He also served as head of the inter-agency committee of the Government of Mexico in charge of preparing the submission of data on the extended continental shelf in the Gulf of Mexico before the Commission on the Limits of the Continental Shelf.

3. He served as a member of the delegation of Mexico to the negotiation of the following: Agreement relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea (1992-1994); United Nations Convention against Transnational Organized Crime and the three protocols thereto (Vienna, 1999-2000); United Nations Convention against Corruption (Vienna, 2002-2003); and fisheries agreement between the Government of Mexico and the Government of France (head of delegation, 2007).

4. He was appointed Chair of the consistency group (drafting committee) of the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime (2000) and Chair of the consistency group (drafting committee) of the Ad Hoc Committee for the Negotiation of a Convention against Corruption (2003). He was also member of the group of experts in charge of the elaboration of the legislative guides for the implementation of the Organized Crime Convention and the Protocols thereto (2004). After this, he became a member of the group of experts in charge of the elaboration of the legislative guide for the implementation of the Convention against Corruption (2007), as well as, from February to August 2008, a member of the group of governmental experts on a legally binding instrument on arms trade established by the General Assembly in its resolution 61/89.

United Nations E/CN.15/2014/19

Economic and Social Council

Distr.: General
10 April 2014

Original: English

Commission on Crime Prevention and Criminal Justice
Twenty-third session
Vienna, 12-16 May 2014
Item 6 of the provisional agenda*
Use and application of United Nations standards and norms in crime prevention and criminal justice

Report of the open-ended intergovernmental Expert Group on the Standard Minimum Rules for the Treatment of Prisoners at its third meeting

Note by the Secretariat

I. Introduction

1. The Commission on Crime Prevention and Criminal Justice established the open-ended intergovernmental Expert Group on the Standard Minimum Rules for the Treatment of Prisoners at the request of the General Assembly[1] to exchange information on best practices, as well as national legislation and existing international law, and on the revision of the existing United Nations standard minimum rules for the treatment of prisoners so that they reflect recent advances in correctional science and best practices, with a view to making recommendations to the Commission on possible next steps.

2. The first meeting of the Expert Group was held in Vienna from 31 January to 2 February 2012. The results of that meeting, including the identification of nine thematic areas for possible consideration, were reported to the Commission at its twenty-first session.[2] The General Assembly, in its paragraph 8 of its resolution 67/188, authorized the Expert Group to continue its work, within its mandate, with a view to reporting on its progress to the Commission at its twenty-second session, in 2013.

* E/CN.15/2014/1.
[1] Resolution 65/230, para. 10.
[2] See E/CN.15/2012/18.

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3. At the invitation of the Government of Argentina, the second meeting of the Expert Group was held in Buenos Aires, from 11 to 13 December 2012. At that meeting the Expert Group had before it a working paper prepared by the Secretariat,[3] which outlined proposals for the consideration of Member States on the basis of a detailed comparison of each of the nine preliminary areas and the respective rules in the Standard Minimum Rules for the Treatment of Prisoners against a comprehensive variety of international and regional instruments, standards and norms, guidelines, observations and other relevant publications and tools, a full list of which was annexed to that working paper.

4. The results of the second meeting of the Expert Group, including the identification of specific rules and issues for the revision of the Standard Minimum Rules, were reported to the Commission at its twenty-second session.[4] The General Assembly, in paragraph 6 of its resolution 68/190, authorized the Expert Group to continue its work, within its mandate, with a view to reporting to the Commission at its twenty-third session, in 2014.

5. The third meeting of the Expert Group was held in Vienna from 25 to 28 March 2014, with extrabudgetary resources provided by the Government of Brazil. The Secretariat prepared a working paper for that meeting, pursuant to paragraph 9 of General Assembly resolution 68/190. In paragraph 8 of that resolution, the Assembly invited Member States to continue to be engaged in the revision process by submitting to the Secretariat, by 30 September 2013, proposals for revision in the nine areas identified, and invited civil society and relevant United Nations bodies to contribute to the process. Accordingly, the working paper consisted of the current version of the Standard Minimum Rules, into which all submissions received from Member States had been incorporated alongside the issues and the rules identified for revision by the Expert Group at its second meeting. The working paper was made available to the Expert Group in the six official languages of the United Nations.

6. At the time of issuance of the working paper, the Secretariat had received 31 individual and joint responses from 39 Member States, which provided concrete drafting and revision proposals; comments on the recommendations of the earlier Expert Group meetings; substantive suggestions for new rules to be included; and reference to national laws, regulations and good practice. All substantive submissions received by the Secretariat were posted on the website of the United Nations Office on Drugs and Crime.

7. In view of the complexity of the issues discussed and the number and variety of proposals submitted to the Secretariat, the meeting considered several rules for revision in the nine areas identified, and achieved consensus on some of those it discussed. Some delegations noted that a meeting with interpretation in all official languages of the United Nations would have been preferable.

[3] UNODC/CCPCJ/EG.6/2012/2.

[4] See E/CN.15/2013/23.

II. Recommendations

8. The Expert Group made the following recommendations to the Commission on Crime Prevention and Criminal Justice at its twenty-third session:

(a) The Commission should consider extending the Expert Group's mandate so that it can continue its work;

(b) Should the Commission decide to extend the mandate of the Expert Group, it should also consider appealing to Member States to provide the requisite extrabudgetary resources, based on estimates provided by the Secretariat, for the substantive and logistical preparation and servicing of the future meetings, including for the translation of documentation and the provision of simultaneous interpretation services in the six official languages of the United Nations, as essential elements for the success of the meetings;

(c) The Commission should consider affirming that the revision of the Standard Minimum Rules is a time-intensive exercise of crucial importance and that a suitable time frame would be helpful in achieving an outcome of suitable quality;

(d) The Commission should consider appealing to Member States to promote the participation of prison administration experts and practitioners in addition to other relevant experts in their delegations;

(e) The Commission should consider acknowledging the contribution made by intergovernmental organizations and civil society and recommend that they should continue to be actively involved in the process, in accordance with the rules of procedure of the functional commissions of the Economic and Social Council;

(f) The Commission should consider reiterating that any changes to the Standard Minimum Rules should not lower any of the existing standards, but should improve them so that they reflect the recent advances in correctional science and good practices, so as to promote safety, security and humane conditions for prisoners.

9. Without excluding the possibility of holding the next meeting in Vienna, the Expert Group took note with appreciation of the preliminary offers of the Governments of Ecuador and South Africa to host the next meeting.

III. Organization of the meeting

A. Opening

10. The third meeting of the Expert Group on the Standard Minimum Rules for the Treatment of Prisoners was held in Vienna from 25 to 28 March 2014. It was opened by Aldo Lale-Demoz, Director of the Division for Operations and Deputy Executive Director of the United Nations Office on Drugs and Crime.

B. Attendance

11. The meeting was attended by over 130 representatives of 63 Member States: Algeria, Angola, Argentina, Austria, Belarus, Bolivia (Plurinational State of), Brazil, Burkina Faso, Canada, China, Cuba, Dominican Republic, Ecuador, Egypt, El Salvador, Finland, France, Germany, Guatemala, Guyana, India, Indonesia, Iran (Islamic Republic of), Iraq, Israel, Italy, Japan, Jordan, Kenya, Kuwait, Lebanon, Mexico, Morocco, Namibia, Netherlands, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Philippines, Poland, Qatar, Romania, Russian Federation, Saudi Arabia, Senegal, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Thailand, Tunisia, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay and Venezuela (Bolivarian Republic of).

12. One non-member State was represented by an observer: State of Palestine.

13. The Office of the United Nations High Commissioner for Human Rights and the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment were represented at the meeting.

14. The following institutes of the United Nations crime prevention and criminal justice programme network were represented at the meeting: International Scientific and Professional Advisory Council and Raoul Wallenberg Institute of Human Rights and Humanitarian Law.

15. The following specialized agency was represented at the meeting: World Health Organization (Regional Office for Europe).

16. The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment of the Council of Europe and the International Committee of the Red Cross were represented at the meeting.

17. Eleven non-governmental organizations in consultative status with the Economic and Social Council were represented at the meeting.

C. Election of officers

18. At its 1st meeting, on 25 March 2014, the Expert Group elected the following officers:

Chair:	Ignacio Baylina Ruiz (Spain)
Vice-Chairs:	Hernán Estrada Román (Nicaragua) Maria Grochulska (Poland) Lucky Mthethwa (South Africa)
Rapporteur:	Vongthep Arthakaivalvatee (Thailand)

D. Adoption of the agenda

19. Also at its 1st meeting, the Expert Group adopted the following agenda:

1. Opening of the meeting.

2. Election of officers.

3. Adoption of the agenda and organization of work.

4. Preliminary observations.

5. Consideration of the issues and rules identified for revision by the second meeting of the Expert Group in the following areas:[5]

   (a) Respect for prisoners' inherent dignity and value as human beings (rules 6, para. 1; 57-59; and 60, para. 1);

   (b) Medical and health services (rules 22-26; 52; 62; and 71, para. 2);

   (c) Disciplinary action and punishment, including the role of medical staff, solitary confinement and reduction of diet (rules 27, 29, 31 and 32);

   (d) Investigation of all deaths in custody, as well as any signs or allegations of torture or inhuman or degrading treatment or punishment of prisoners (rules 7, 44 and 54 bis);

   (e) Protection and special needs of vulnerable groups deprived of their liberty, taking into consideration countries in difficult circumstances (rules 6 and 7);

   (f) The right of access to legal representation (rules 30; 35, para. 1; 37; and 93);

   (g) Complaints and independent inspection (rules 36 and 55);

   [...]

   (i) Training of relevant staff to implement the Standard Minimum Rules (rule 47).

6. Recommendations and conclusions.

7. Any other business.

E. Summary of deliberations

20. The working paper prepared by the Secretariat, which highlighted the drafting and revision proposals submitted by Member States for revisions in the nine areas identified by the General Assembly in its resolution 68/190, and as reflected in item 5 of the agenda, also included additional proposals and inputs covering other areas of the Standard Minimum Rules for the Treatment of Prisoners.

21. However, at its 1st and 2nd meetings, owing to the limited time available, the Expert Group agreed to focus discussions on the issues and rules that had been

[5] Area (h), "The replacement of outdated terminology" (rules 22-26, 62, 82-83 and various others) was not addressed as a separate area but was addressed throughout the meeting in the context of the other areas.

identified at the meeting held in Buenos Aires and endorsed by the General Assembly.

22. During their preliminary observations (agenda item 4), some Member States raised the issue of the preambular part of the Standard Minimum Rules and the scope of application of the Rules. No further discussions were held on those matters in the course of the meeting.

23. In the ensuing discussions, at its 3rd to 8th meetings, the Expert Group concentrated on areas (a): respect for prisoners' inherent dignity and value as human beings; (b): medical and health services; and (c): disciplinary action and punishment, including the role of medical staff, solitary confinement and reduction of diet.

24. The outcome of the detailed exchange of views and in-depth consideration of the rules in those areas is reflected below.

I. Agreed

Area (a): respect for prisoners' inherent dignity and value as human beings

Rule 6

(1) "The following rules shall be applied impartially. There shall be no discrimination on grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or any other status."

Rule 57

No change to original text.

Rule 58

"The purposes of a sentence of imprisonment or similar measures deprivative of persons' liberty are primarily to protect society against crime and to reduce the incidence of recurrence. Those purposes can be achieved only if the period of imprisonment is used to ensure, so far as possible, the reintegration of such persons into society upon release so that they can lead a law-abiding and self-supporting life."

Rule 59

"To this end, institutions and competent authorities should make available all the remedial, health-oriented, vocational training-based, sports-based, educational, moral, spiritual, social, professional and other forms of assistance that are appropriate and available, and should seek to apply them according to the individual treatment needs of the prisoners."

Rule 60

(1) No change to original text.

Area (b): health-care services

Rule 22

(0)[6] "The provision of health care for prisoners is a State responsibility. Prisoners should enjoy the same standards of health care as are available in the community, and should have access to necessary health services free of charge without discrimination on the grounds of their legal status. The health services should be organized in close relationship to the general public health administration. They shall be organized in a way that facilitates continuity of treatment and care."

Area (c): disciplinary action and punishment, including the role of medical staff, solitary confinement and reduction of diet

Rule 27

(1) "Prison administration shall ensure proportionality between disciplinary punishment and the offence for which it is established."

(2) "Prison administrations are encouraged to use, to the extent possible, conflict prevention, mediation or any other alternative dispute prevention and resolution mechanisms to prevent disciplinary offences, as well as to prevent and resolve conflicts."

Rule 30

(1) bis "Any allegation of a disciplinary offence by a prisoner shall be reported promptly to the competent authority, which shall investigate it without undue delay."

25. The Expert Group further proposed the introduction of a new heading, "Searches", and a new rule 34 bis:

Searches

Rule 34 bis

(1) "The laws and regulations governing searches of prisoners and cells shall be in accordance with obligations under international law and take into account international standards and norms, keeping in mind the need to ensure security in the institution. Searches shall be conducted in a manner that respects the dignity and privacy of the individual being searched."

(2) "Searches shall respect the principles of proportionality, legality and necessity. Searches shall not be used to harass, intimidate or unnecessarily intrude upon a prisoner's privacy. For the purpose of accountability, appropriate records of searches shall be kept by the prison administration, in particular of strip and body-cavity searches and searches of cells, as well as the reasons for those searches, the identities of those who conducted them and any results of the searches."

(3) "Intrusive searches, including strip searches and body-cavity searches, should be undertaken only if absolutely necessary. Institutions shall be encouraged to develop and use appropriate alternatives to intrusive searches. Intrusive searches shall be conducted in private and by trained staff of the same sex as the prisoner.

[6] To precede the existing rule 22 (1).

Body-cavity searches shall only be conducted, at a minimum, by staff appropriately trained by medical professionals in standards of hygiene and safety, and should not involve the medical staff primarily responsible for the care of the prisoner."

2. Discussed and not yet agreed

Area (a): respect for prisoners' inherent dignity and value as human beings

26. Consideration of the relocation of rules 57 to 59 and rule 60, paragraph 1, as well as the possibility of adding further principles of general application, was deferred to the next meeting.

Area (b): medical and health services

Rule 22

(1) "Institutions shall provide for medical, surgical, psychological and psychiatric services, with particular attention to [the specific health needs of [individual] prisoners] [specific categories of prisoners] [vulnerable groups] [who belong to vulnerable groups] [in vulnerable situations] [such as older [adults] [persons], women, [lesbian, gay, bisexual, transgender and intersex prisoners,] young prisoners, [prisoners with substance-abuse problems and persons with disabilities, persons with HIV/AIDS, persons whose conditions might be exacerbated by imprisonment and people with terminal diseases, or any others.] At every institution, there shall be available [access to] the services of a team of health-care professionals, [at least one of whom should have adequate knowledge of psychiatry] [including psychiatrists]."

Area (c): disciplinary action and punishment, including the role of medical staff, solitary confinement and reduction of diet

27. With reference to conflict prevention, mediation or any other alternative dispute prevention and resolution mechanisms introduced in rule 27, paragraph 1, it was proposed to include training in those areas under rule 47 when the discussion reaches area (i): training of relevant staff to implement the Standard Minimum Rules.

Rule 29

"The following shall always be determined by the law or by the regulation of the competent [administrative] [or judicial] authority:

"(a) Conduct constituting a disciplinary offence;

"(b) The types and duration of punishment which may be inflicted;

"(c) The authority competent to impose such punishment."

Rule 30

(1) "No prisoner shall be punished for disciplinary offences except in accordance with due guarantees and the terms of such law or regulation, and never twice for the same [offence] [act]."

(2) "Prisoners [shall be informed promptly, in a language which they understand and in detail, of the nature of the accusations against them and have adequate time,

facilities and other adequate forms of assistance for the preparation of their defence] [shall be given the possibility of due defence] [to be duly heard] [and have the possibility of requesting a hearing or the attendance of witnesses]."

28. The Expert Group further considered the introduction of a new rule 37 bis, on search procedures in the course of visits, as follows:

Rule 37 bis

(1) "Institutions shall develop search procedures applicable to visits to ensure security in their facilities, while respecting the [rights] [entitlements] of prisoners to receive visits, the inherent dignity of the visitor, and the principles of proportionality, legality and necessity."

(2) "In this regard, institutions shall develop [appropriate] [alternative] inspection methods [other than strip and intrusive searches]. Strip and intrusive searches shall not be done unless absolutely necessary. [Body-cavity searches shall be conducted only by medical staff.] [Whenever a search is absolutely necessary, it] [Searches] shall be conducted in private by trained staff of the same sex as the visitor."

(3) "Intrusive searches, including strip searches and body-cavity searches, should be undertaken only if absolutely necessary and with the consent of the individual [and under no circumstances be applied to children]. Institutions shall be encouraged to develop and use appropriate alternatives to intrusive searches. Intrusive searches shall be conducted in private and by trained staff of the same sex as the visitor. Body-cavity searches shall be conducted only, at a minimum, by staff appropriately trained by medical professionals in standards of hygiene and safety."

Area (h): replacement of outdated terminology

29. The Expert Group considered the issue of outdated terminology, and some delegations raised the issue of translations being inadequate in some cases, in particular with respect to gender. Other delegations suggested that there were other ways to deal with this issue.

30. Delegations suggested several options for preparing for the next meeting of the Expert Group, including requesting the Secretariat to update the working paper (UNODC/CCPCJ/EG.6/2014/CRP.1), a paper of the Chair or the Bureau, or commissioning an outside expert or a meeting of experts selected by the five regional groups to produce a paper reflecting the work done by the first three meetings of the Expert Group, and making it available, for the consideration of Member States and in a consolidated, user-friendly and systematic manner with a view to facilitating the deliberations of future meetings of the Expert Group.

31. Several delegations urged that all efforts should be made to finalize the revision process in order that the newly revised Standard Minimum Rules for the Treatment of Prisoners could be submitted to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, to be held in Qatar in 2015, for its consideration, to be recommended to the Commission on Crime Prevention and Criminal Justice for adoption.

IV. Adoption of the draft report and closure of the meeting

32. At its 8th meeting, on 28 March 2014, the Expert Group adopted its draft report, including its recommendations, for submission to the Commission on Crime Prevention and Criminal Justice at its twenty-third session, pursuant to General Assembly resolution 68/190.

33. The Expert Group expressed its gratitude to the Government of Brazil for its generosity in providing the extrabudgetary funding to enable the third meeting of the Expert Group to take place in Vienna.

United Nations E/CN.15/2014/19/Corr.1

Economic and Social Council

Distr.: General
13 May 2014

Chinese, English and French only

Commission on Crime Prevention and Criminal Justice
Twenty-third session
Vienna, 12-16 May 2014
Agenda item 6
Use and application of United Nations standards and norms in crime prevention and criminal justice

Report of the open-ended intergovernmental Expert Group on the Standard Minimum Rules for the Treatment of Prisoners at its third meeting

Note by the Secretariat

Corrigendum

Section III.E.1, Rule 59, first line

For institutions and competent authorities should make available *read* institutions and competent authorities should offer

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